

**POLITICAL LIBERALISATION IN JORDAN**  
**A STUDY OF THE DEMOCRATISATION PROCESS:**  
**1989-1993**

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**A THESIS SUBMITTED FOR THE DEGREE OF DOCTOR OF  
PHILOSOPHY**

**IN  
(MIDDLE EAST POLITICS)**

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## **ABSTRACT**

This thesis is a study of the process of political liberalisation in Jordan, in the period from 1989 to 1993. In order to provide the necessary background for the analysis, the study provides a historical survey of representative institutions (or the lack of them) in Jordan, from its foundation as Transjordan in 1921 until 1989. The reasons for the initiation of the process of political liberalisation suggested are, the disengagement from the West Bank on July 31, 1988; the severe economic crisis faced by Jordan at the end of the 1980's; and the outbreak of the countrywide riots in April 1989.

The process of political liberalisation began with the change in the Electoral Law which laid the basis for the 1989 election. Three inter-related strands in the period 1989-1993 are analysed as to their impact of the process of political liberalisation. The first of these strands was constituted by the political reforms - including the abolition of both martial law and the anti-Communist law, the drafting of a new National Charter, and the promulgation of the Political Parties Law and the Press and Publication Law. The second was the development of the relationship between the executive and the legislative, in which the legislature gradually used its increased power to question, alter and implement legislation. The third was the strengthening of the civil institutions, such as trade unions, professional associations and registered political parties.

The lead-up to the preparation for and the results of the 1993 election are then analysed to support the conclusion that the process of political liberalisation has reached the stage at which Jordan can be described as a democratic country, albeit without a full transfer of power. Nonetheless, the process of democratisation is still in transition and requires to be completed and consolidated.

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**DEDICATION**

**TO MY PARENTS**



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I, the writer of this research study, confirm that no part of the material offered in this study has previously been submitted by me for a degree in this or in any other University.

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## English Transliteration System

The English transliteration system used in this thesis is based on that found in the Encyclopaedia of Islam (1960). Place names in the thesis match those provided by Jordanian official sources (the 1986 Electoral Law and its amendment in 1989).

Consonants						Diphthongs	
ء	,	ش	sh	م	m	و	aw
ب	b	ص	s	ن	n	ي	ay
ت	t	ض	d	ة	h		
ث	th	ط	t	و	w	ـيـ	iyy (final form I)
ج	dj	ظ	z	ي	y	ـوـ	uww (final form u)
ح	h	ع	'	Long vowels			
خ	kh	غ	gh	ى ا	â		
د	d	ف	f	و	û		
ذ	dh	ف	k	ي	î		
ر	r	ك	k	Short vowels			
ز	z	ل	l	—	a		
س	s			—	u		
				—	i		

For practical purposes, the following changes to the transliteration system used will be implemented:

1. Diacritical marks will be omitted.
2. J will be used in place of jd.
3. q will be used in place of k.
4. Hussein will be used in place of Husayn.

## **Chapter One: Introduction**

### **Research Method, Theoretical Approach and Literature Review in Jordan Political Development**

#### **Introduction: Objectives of the Study and Structure of the Thesis**

Democratisation throughout the world, especially in third world countries, has been a subject of considerable interest and research analysis in recent years. However, despite such general interest, the democratisation process in Jordan has not been studied in any great depth to date.

The main aim of the present study is to explore and analyse the development of political liberalisation in Jordan, and in particular to provide a deeper understanding of the country's political life and democracy. The thesis will review Jordan's experience with representative institutions at earlier periods, and will then cover the political liberalisation process over the period 1989-1993. The study will examine the following aspects of the recent political liberalisation process in Jordan:

1. How political institutions work.
2. The reasons for the return of democracy.
3. The extent to which political reform has taken place.
4. The relationship between the government and parliament.
5. The main achievements in terms of laws passed by parliament.
6. The role of political parties in the Jordanian parliament, and the extent to which they have influenced political decisions taken by the government.

The study is intended to be of use to those concerned with understanding political development in Jordan, and will hopefully serve as a basis for future research. It bases its conclusions on both theory and raw data. Much of the evidence presented here appears for the first time outside Jordan.



The thesis is organised into nine chapters as detailed below:

- Chapter one covers three parts: research method, theoretical approach and a literature review of Jordan's political development.
- Chapter two covers two parts: part one is concerned with the pre-constitutional period, 1921-1947; and part two covers the first constitutional period, 1947-1967.
- Chapter three continues with the development of the constitutional framework and political institutions for the period 1967-1989.
- Chapter four discusses the reason for the move towards democratisation in Jordan and analyses the conduct of the 1989 parliamentary elections, which were the first general elections since 1967.
- Chapter five covers the 1990s political reforms in conjunction with the operation of the parliamentary democratic system.
- Chapter six discusses the function of the legislature in relation to the executive authority.
- Chapter seven covers the political role of civil society institutions through trade unions and professional associations, as well as the official political parties.
- Chapter eight focuses on the emergence of formal political pluralism, through the conduct of the 1993 elections.
- Chapter nine is the conclusion.

### **1.1. Part One: Research Method**

The main aim of this study is to find evidence of democratisation in Jordan. This section will describe the methods used to carry out the empirical study (field analysis).

### **1.1.1. Research Sources**

At this point, it is worth giving a brief account of the research instruments in general. The literature written on Jordanian political liberalisation reveals that there are a number of methods for generating data that can be used. Information at different levels needs to be generated in order to answer the research questions. There are many kinds of methods which can be used to gather relevant information. I have used three main sources of research material: one is official and non-official documentation, the second is interviews with senior government officials and political party leaders, and the third is secondary sources.

### **1.1.2. Documentation**

The majority of the data collected in this thesis is from primary sources, and comes from government publications, proceedings of the Chamber of Deputies 1989-1993, Public Record Office documentation, political parties' constitutions, manifestos and statements, and candidates' speeches. The secondary sources were books and articles, Ph.D. theses, newspapers and magazines. These publications were used in this study in order to assess the process of democratisation in Jordan.

#### **1.1.2.1. Data Limitations**

Three main limitations may be identified:

1. Some information took a long while to obtain, especially documents from the Jordanian parliament and official government documents.
2. The available references did not cover the whole period of the study and were not sufficiently detailed.
3. Most secondary references were relatively small articles or book chapters. Few scholars had written at length about the democratic experience in Jordan.

### 1.1.3. The Interview

Interviews constituted one of the main methods in obtaining information about democratisation in Jordan. The rationale behind the decision to use interviews takes into consideration the type of data to be collected and the purpose of the whole study. The method used here was deemed to be the most relevant for amassing original data in order to answer the research question. The interview method was also used to ensure that the form of data collected was valid and reliable.

The interview is a common research method for gathering information in social sciences,<sup>(1)</sup> and refers to the method of collecting data from subjects face to face by asking questions. It is both flexible and adaptable to individual situations. Kerlinger states that:

The interview is a face-to-face interpersonal situation in which one person, the interviewer, asked a person being interviewed, the respondent, questions designed to obtain answers pertinent to the purposes of the research problem.<sup>(2)</sup>

Its validity is described by Stavin as follows:

In an interview, respondents can be asked to clarify or expand on responses, making the data from an interview potentially richer and more complete than that which can be obtained from a questionnaire. Interview data, however, is certainly much more difficult and expensive to collect and analyse.<sup>(3)</sup>

The interview is the most systematic way of gathering information. Cohen and Manion state that the interview is:

...a two-person conversation initiated by the interviewer for the specific purpose of obtaining research-relevant information, and focused by him on content specified by research objectives of systematic description, prediction, or explanation; it is an unusual method in that it involves the gathering of data through direct verbal interaction between individuals. In this sense it differs from

the questionnaire where the respondent is required to record in some way his responses to set questions.<sup>(4)</sup>

Oppenheim supports this view of the validity of the interview and adds that it saves time, allows for greater depth, and prevents misunderstandings:

[Interviewers] can give a prepared explanation of the purpose of the study more convincingly than a covering letter can; will more easily reach less-educated respondents; help the ones with reading difficulties; offer standardised explanations to certain problems that arise; prevent many misunderstandings; and maintain control over the order or sequence in which the questions are answered.<sup>(5)</sup>

These are not the only reasons why the interview method was employed in this study. The present researcher felt that it was the most appropriate method to use for analysing the problem in question. Since democracy has just started in Jordan, it was felt that the issues involved can be best understood if discussed face to face. Another reason is that the subjects had other paperwork to do, and it was felt that the questionnaire method might disrupt this (questionnaires usually take a long time). Cohen and Manion point out that the interview can serve three purposes:

1. It may be used as the principal means of gathering information having direct bearing on the research objectives.
2. It may be used to test hypotheses or to suggest new ones; or as an explanatory device to help identify variables and relationships.
3. The interview may be used in conjunction with other methods in a research undertaking. In this connection, Kerlinger suggests that it might be used to follow up unexpected results, for example, or to validate other methods or to go deeper into the motivations of respondents and their reasons for responding as they do.<sup>(6)</sup>

In this study, interviews were used as one of the principal means of data collection.

### **1.1.3.1. Interview Limitations**

The interview method is subject to a number of limitations. Cohen and Manion note that the interview method does not allow for a large sample.<sup>(7)</sup> This may be true, but it does not affect the present analysis. The point to make clear is that, due to the focus of the research, there was a limited number of subjects who could be interviewed.

Another limitation of interviews is that the presence of the researcher may affect the subject's responses to questions.<sup>(8)</sup> In my case, this was not considered a problem, as all the subjects were in high government positions and it was considered that they would not feel that they were being forced to give information.

### **1.1.3.2. The Sample**

The subjects of the interview fell into four categories, with each category having a specific purpose. To achieve this specificity, the structure of the questions had to be carefully constructed. The four categories were:

1. Senior government officials: namely three prime ministers, four ministers (two of them deputy prime ministers). The main purposes of this section were to test the reaction of Jordanian senior officials towards the return to democracy in Jordan; to gather relevant information about government actions within the process of political liberalisation in the country; and to assess the relationship between the government and parliament.
2. Political party leaders: A sample was chosen from most parties, including the Islamist, leftist, nationalist, and centrist (conservative and traditionalist) parties. The aim of this section was to study the role of political parties in Jordan during the transition to democracy and the extent of their involvement in this process.

3. Leaders of blocs within the parliament. This group deals with the political blocs in particular, during the eleventh and twelfth parliament, and their roles in influencing the executive authority's decisions.
4. Members of the National Charter Royal Commission. These interviews aimed to examine the process behind the creation and adoption of the National Charter and its subsequent role in the political liberalisation process in Jordan.

It should be noted here that these are the key subjects concerned with the practice of political liberalisation in Jordan. It was for this reason that they were selected as subjects for interview in this study.

#### **1.1.3.2.1. The Constraints**

The researcher faced a number of problems during the interviews. The main ones were:

1. The problem of time was apparent in two ways. Much time was spent arranging a suitable time for the interviewer and the respondents to meet. Also, there was a shortage of time for some respondents, therefore the time allocated for the interview was not sufficient to elicit a satisfactory response.
2. Some of the respondents refused to consent to a tape recording, preferring note-taking.
3. The distance between the interviewer's home and the respondents often consumed part of the interview time.
4. Some of the respondents were very reserved about giving relevant and important information.
5. Some of subjects refused to be interviewed when they knew that the interviewer was a student.



### **1.1.3.3. Procedures of the Interview**

In general, the interview data were tape recorded, but some of the respondents preferred note-taking and the researcher therefore recorded their information that way. A few respondents preferred to take the questions and answer them in their own time and return them to the researcher. Generally, senior officials, centrist party leaders, and deputies agreed to having their responses tape recorded.

It is worth mentioning that the schedule of interviews was very important, and drawn up in order to save time and achieve good results. The researcher made appointments with all respondents several days prior to the interviews. Thus, interviews were conducted at different times with respondents, according to their schedule and timetable of work.

Recording was the most important tool in collecting interview data. It was carried out in such a way that respondents felt free to talk and this prevented bias in their answers. With regard to taping, Stavin suggests that:

Taping is preferable, because it gives a permanent record of what was actually said instead of what the interviewer thought was said. This helps prevent the possibility that the interviewer's own bias might enter into what is recorded.<sup>(9)</sup>

The researcher supported the taped interview with note-taking. The significance of this is pointed out by Stavin:

...tapes are sometimes difficult to understand, especially if several individuals are speaking at once. For this reason, it is often a good idea to have the interviewer take notes and to tape the interview, as a double check on the interview responses.<sup>(10)</sup>

## **1.2. Part Two: Theoretical Approach**

### **1.2.1. Defining the Terms**

This section will seek to define four of the terms which are much used in this thesis: democracy, political liberalisation, democratisation and partial democracy. As with many social science terms, there is no one agreed definition. The study will give brief résumés of possible definitions before putting forward those which will be applied in this thesis.

#### **1.2.1.1. Democracy**

Democracy is 'an ideal impossible of human achievement'.<sup>(11)</sup> It derives its meaning from the ancient Greek words: demos (people) and kratos (rule or authority). Huntington stresses that democracy is closely associated with the future of freedom in the world. He stipulates that the correlation between the existence of individual liberty and the existence of democracy is extremely high.<sup>(12)</sup> The guiding principle of democracy according to O'Donnell and Schmitter, is citizenship, which involves the right to equal treatment concerning collective choices (e.g., elections), the obligation of the decision makers to be accountable (i.e., they can be dismissed from office by elections), the obligation of the ruled to respect the legitimacy of the choices made (i.e., to respect the decisions made and act within the law), and the rights of the rulers to act with authority. In other words, citizenship involves a two way relationship between the chosen rulers and those who do the choosing, with each acknowledging the rights and obligations of the other. Despite there being no defining rules/institutions for democracy, the authors list the minimum requirements for political democracies as, "secret balloting, universal adult suffrage, regular elections, partisan competition, associational recognition and access, and executive accountability".<sup>(13)</sup> Democracy can thus be defined as "a form of government where the legislature is elected directly by universal adult suffrage and the

executive government is chosen either directly as in the presidential system or indirectly from among the elected representatives of the people, as is the norm in the parliamentary system".<sup>(14)</sup> A more complex definition is given by Lipset. He defines democracy as:

A political system which supplies regular constitutional opportunities for changing the governing official. It is a social mechanism for the resolution of the problem of societal decision-making among conflicting interest groups which permits the largest possible part of the population to influence these decisions through their ability to choose among alternative contenders for political office.<sup>(15)</sup>

More simply, democracy is defined in the Oxford English Dictionary as:

government by the people; that form of government in which the sovereign power resides in the people as a whole, and is exercised either directly by them or by officers elected by them. A state or community in which the government is vested in the people as a whole.<sup>(16)</sup>

It is clear from the above that the most crucial element in democracy is the rule of the majority through the election of representatives to office in free elections. A number of guarantees are required to enable democracy to be sustained including political competition, accountability of the executive to the elected representatives, freedom of the press and equality between citizens. Thus, a real democracy is a system in which all citizens can participate in the decision-making process and are protected from state action.

Despite the differences in the definitions of democracy and its practical implementation throughout the ages, what forms the common factors between these definitions and their application are the ideas of popular representation, the guarantee of human and civil rights, and the accountability of political leaders to the public.

### **1.2.1. 2. Political Liberalisation**

The term “political liberalisation” is closely connected with, but not equivalent to, that of “democratisation”, although the freedoms of liberalisation help to achieve democracy.

In authoritarian regimes, the space between public and private interests tends to be blurred. According to Ayubi, political liberalisation can only occur where there is a clear division between public and private interests. The political sphere must mediate between the two.<sup>(17)</sup> In this context, Huntington has defined political liberalisation as:

The partial opening of an authoritarian system short of choosing government leaders through freely competitive elections. Liberalising authoritarian regimes may release political prisoners, open up some issues for public debate, loosen censorship, sponsor elections for offices that have little power, permit some renewal of civil society, and take other steps in a democratic direction, without submitting top decision makers to the electoral test.<sup>(18)</sup>

A rather more explicit and detailed definition of political liberalisation has been given by O'Donnell and Schmitter, who define it as:

A process of making effective certain rights that protect both individuals and social groups from arbitrary or illegal acts committed by the state or third parties. On the level of individuals, these guarantees include the classical elements of the liberal tradition: habeas corpus; sanctity of private home and correspondence; the right to be defended in a fair trial according to preestablished laws; freedom of movement, speech, and petition; and so forth. On the level of groups, these rights cover such things as freedom from punishment for expressions of collective dissent from government policy, freedom from censorship of the means of communication, and freedom to associate voluntarily with other citizens.<sup>(19)</sup>

They acknowledge that these rights are not fully guaranteed in any country, but movement in this direction is important to distinguish democracy from authoritarianism.

Rights are created as individuals push back the existing limits. When others see that individuals are not punished (in the words of the authors, 'do not incur cost'), then the spaces are taken up by groups. There is no logical sequence to this process and it can be reversed. The process is entirely dependent on the reaction of the ruling authorities, but if not considered threatening, then the 'space' allowed to society will slowly increase and become institutionalised.

As O'Donnell and Schmitter stress:

Liberalisation and democratization are not synonymous, although their historical relation has been close. Without the guarantee of individual and group freedoms inherent in the former, the latter risks degenerating into mere formalism (namely, the so-called popular democracies). On the other hand, without the accountability to mass publics and constituent minorities institutionalised under the latter, liberalisation may prove to be easily manipulated and retracted at the convenience of those in government.<sup>(20)</sup>

Based on these definitions, this study will use "political liberalisation" to mean a process of opening the political system, and limiting the power of the state to intervene in citizens' lives, through the easing of various restrictions on civil society such as lifting martial law and the censorship of the press. Paradoxically, for political liberalisation to be successful it requires further laws to be enacted, but this time to guarantee the basic freedoms associated with democracy.

#### **1.2.1.3. Democratisation**

Hudson defines democratisation as the "process through which the exercise of political power by the state becomes less arbitrary and exclusive".<sup>(21)</sup> This emphasises the political power of the state. The definition by Brynen, Korany and Noble, on the other hand, is "political democratisation entails an expansion of political participation in such a way as to provide citizens with a degree of real and meaningful collective control over

public policy"<sup>(22)</sup> which focused on the power of the citizens. However, Niblock argues that both elements are relevant, by stating that "democratisation is taken to include any measure of political liberalisation through the extension and buttressing of human rights or through the creation of political institutions which provided greater opportunity for representation".<sup>(23)</sup> This study will use O'Donnell and Schmitter's definition of democratisation. They state that democratisation involves:

Processes whereby the rules and procedures of citizenship are either applied to political institutions previously governed by other principles [e.g., coercive control, social tradition, expert judgement, or administrative practice], or expanded to include persons not previously enjoying such rights and obligations [e.g., nontaxpayers, illiterates, women, youth, ethnic minorities, foreign residents], or extended to cover issues and institutions not previously subject to citizen participation.<sup>(24)</sup>

#### **1.2.1.4. Partial Democracy**

In some countries although full democracy has not been achieved, nonetheless they are no longer subject to full authoritarian rule. David Potter's concept of partial democracy helps to fill this gap. He defined partial democracy as:

A type of political regime in which the accountability of government to citizens is more or less qualified; military, traditional or other non-elected establishments within the state restrict the effect of elections and compromise the authority of elected government. Elections are held, but organised to ensure that only certain candidates can be elected; opposition political parties may exist and even make some impact but the electoral system is organised to ensure that normally they would neither win an election nor form a government. There are restrictions on the rights to freedom of expression and access to alternative information. Some independent associations and organisations critical of the state exist but are carefully monitored by the state.<sup>(25)</sup>

It is this definition which will be used in the study to illustrate the position of Jordan by 1993.

#### **1.2.1.5. Relationship between Democracy, Liberalisation and Democratisation**

O'Donnell and Schmitter argue that liberalisation may occur without democratisation to achieve what they term 'liberalised authoritarian'. Where democratisation outpaces liberalisation then 'limited democracy' is gained. The authors list several generalisations:

1. Liberalisation is a matter of degree and can not be measured, as the degree depends on the scope of the guarantees granted and the extent of the protection of the individual/group against violation of the guarantees.
2. Democratisation is also a matter of degree. In the case of political democracy, which is restricted to public institutions of governance, two dimensions are important. Firstly, conditions may be imposed which restrict party competition and electoral choice. Secondly, the design of institutional/operational mechanisms to bypass accountability.
3. Liberalisation can exist without democracy, in that guarantees of rights can occur without competitive elections. However, once liberalisation has started, then it tends to increase.
4. The process of democratisation and liberalisation combine to an uneven and occasionally reversible manner only in the event that a viable political democracy do the two processes become inextricably joined.
5. Liberalisation is considered to start the transition, therefore, it is important to study the moment when liberalisation starts.
6. When revolution or violence are used, this reduces the chances of political democracy.<sup>(26)</sup>

Whilst democracy can be seen as the outcome of various interactions between state and society, political liberalisation and democratisation are part of the process of transition which may or may not result in democracy. The concept of partial democracy becomes of relevance here.

### **1.2.2. General Theory about the Paths to Democracy**

The concept of democracy is deeply rooted in history, and is closely connected with theories about the state. In the current literature of comparative politics, several dominant theories compete against each other in their attempts to explain the process of democratisation.

Early scholars of comparative politics on the subject of transition to democracy, concentrated on discovering the required relevant conditions, such as socio-economic factors, civil society, political culture, national unity, regime legitimacy, and regional and international influences. In the literature on political liberalisation and democratisation, four theories have been particularly important. The research will examine the ideas of each theorist, comparing them and explaining their individual viewpoints.

Rustow's theory about the transition to democracy, based on his study of the process in Sweden and Turkey, states that the emergence of democracy stems from the choices made by different political forces.<sup>(27)</sup> He argues that the process of transition evolves through four successive phases which are the basis for the consolidation of democracy:

1. Background condition: where, for reasons which Rustow claims are diverse and irrelevant, national unity is achieved. By this he means, "that the vast majority of citizens in a democracy-to-be must hold no doubt or mental reservations as to which political community they belong".
2. Preparatory phase: during this phase, "a prolonged and inconclusive political struggle" is fought between the old and new elite, which differs from case to case. However, in each case the phase sees an era of polarisation around the two groups, which creates the "hot family feud", setting the stage for the third phase, which marks the beginning of the establishment of a democratic order.



3. Decision phase: this phase commences when “a deliberate decision on the part of political leaders to accept the existence of diversity in unity and, to that end, to institutionalise some crucial aspect of democratic procedure” is introduced. A small group of leaders, initially to serve their own interest, play a prominent role in making the decision which opens up the system. The outcome, which may be unintended, is unpredictable and may or may not result in democracy. Whilst the outcome will always be a compromise, it will also be dynamic and fluid.
4. Habituation phase: in this stage the democratic procedures become institutionalised, with the resolution of conflict being undertaken by democratic means becoming the norm.<sup>(28)</sup>

Rustow himself admits that his model is only a sketch and thus requires some refining. Specifically, he does not explore the factors which cause change. While Rustow's work does not explain how the different stages are initiated, the comprehensive analysis undertaken by O'Donnell, Schmitter and Whitehead, [eds.] Transitions from Authoritarian Rule: Prospects for Democracy, 1986, looks specifically at all the factors in, and causes of, transition. The four edited volumes contain seven theoretical essays exploring the military, economic, international, and methodological aspects involved in transition from authoritarian regimes, and a conclusion reflecting on the entire study. The theory is advanced in a tentative manner since it is only based on a few case studies confined to Latin America and Southern Europe. It is based on the premise that while international factors may influence the process, the main participants and influences are domestic.

O'Donnell and Schmitter stipulate two necessary conditions for the emergence of democracy. These are, first, guarantees of the continued institutional existence of the military in order to reduce the chances of military intervention, and second, the guarantee that the property of the bourgeoisie will remain in their hands in order to gain

their acceptance of the change. In addition to the necessary conditions for transition to democracy there are other factors which spark the transition.

O'Donnell and Schmitter argue that since 1945, authoritarian regimes "practise dictatorship and repression in the present while promising democracy and freedom in the future".<sup>(29)</sup> This paradox has created space for opposition to demand the removal of authoritarian regimes. The central argument is that political liberalisation starts with a division or split between the hard liners and soft liners, both being present in authoritarian regimes. The hard liners believe that their rule can be perpetuated. While soft liners are initially indistinguishable from the hard liners, they come to recognise the need for eventual electoral legitimation.

The authors argue that in the immediate post-war period, military defeat in an international conflict was the main cause in starting transition. However, since the 1970s, domestic factors have been the main cause, with the principal factor being that of the cleavage between hard liners and soft liners. The latter can occur due to either of two domestic conditions:

1. The failure of domestic policies leads the soft liners' camp to liberalise, in an attempt to spread the blame, while hard liners attempt to solve the problem by increased repression.
2. Success of the regime encourages the soft liners to attempt to gain local and international legitimacy through the ballot box.<sup>(30)</sup>

The transition to democracy is often completed by an implicit or explicit political pact between civilian political actors. O'Donnell and Schmitter argue that pacts play an important role in the transition, and define a pact as:

...an explicit, but not always publicly explicated or justified, agreement among a select set of actors which seeks to define (or,

better, to redefine) rules governing the exercise of power on the basis of mutual guarantees for the 'vital interests' of those entering into it.<sup>(31)</sup>

The pacts are often regarded as temporary but may finish up as the law of the land by becoming institutionalised.

In summary, the authors argue that the period of transition is initiated by a split between hard liners and soft liners. The parameters of the process then depend on two factors: 'calculation' (i.e. the amount of guarantees of rights which the regime is initially willing to grant), and pacts. These factors determine whether or not the transition will proceed and provide important parameters to the extent of the possible liberalisation and democratisation. They may trigger the resurrection of civil society.

Przeworski, who has a wider framework, argues that writings on the breakdown of authoritarian regimes can be categorised into four types of explanation, the third of which includes the thesis of O'Donnell and Schmitter. These types of explanation are:

1. The authoritarian regime has realised the functional needs that led to its establishment. It is therefore no longer necessary and so it collapses.
2. The regime has, for one reason or another, with one possible reason being [1], lost its "legitimacy", and since no regime can last without legitimacy, it disintegrates.
3. Conflicts within the ruling bloc, particularly within the military, for one reason or another, with one possibly being [2], cannot be reconciled internally, and some ruling factions decide to appeal to outside groups for support.
4. Foreign pressures to "put on a democratic face" lead to compromises, perhaps through the mechanism of [3].<sup>(32)</sup>

Przeworski states that there is nothing to say about type number 1, that it has never happened in practice, whereas type number 4 can be 'unambivalently assessed', that it does not happen. Furthermore, loss of legitimacy [type number 2] is not a precondition to collapse (see Iraq). The power struggle mentioned in type number 3 can be based

either on interest e.g. army , bourgeoisie or working class interests, or on strategic posture (soft liners/hard liners, maximilists/minimalists). But again the author argues this line of explanation is not valid, as it does not “account for the kind of volatility that seems to be characteristic of the processes of regime transformation, in which alliances are extremely shaky and particular groups and pivotal individuals at times shift their positions by 180 degrees”.<sup>(33)</sup>

Przeworski analyses the reason for the success of the process of transition in achieving democracy, by highlighting three aspects of democracy which are crucial to the main power groups during the process of transition, namely:

1. Democracy is a form of institutionalisation of continual conflicts.
2. The capacity of particular groups to realise their interests is shaped by the specific institutional arrangements of a given system.
3. Although this capacity is given a priori, outcomes of conflicts are not uniquely determined either by the institutional arrangement or by places occupied by participants within the system of production. Outcomes that are unlikely can and do occur.<sup>(34)</sup>

As Przeworski later emphasises: "Struggle for political power is necessary because without it all attempts to transform society are vulnerable to brutal repression".<sup>(35)</sup>

Agreeing with Przeworski, in stressing that it is wrong to establish just one factor to understand the various paths to democracy, Huntington synthesises six propositions which he argues have a certain validity:

1. No single factor is sufficient to explain the development of democracy in all countries or even in a single country.
2. No single factor is necessary to the development of democracy in all countries.
3. Democratisation in each country is the result of a combination of causes.
4. The combination of causes producing democracy varies from country to country.
5. The combination of causes generally responsible for one wave of democratisation differs from that responsible for other waves.

6. The causes responsible for the initial regime changes in a democratisation wave, are likely to differ from those responsible for later regime changes in that wave.<sup>(36)</sup>

Huntington cites a list of twenty-seven factors which can contribute to democracy and the democratic process. These are:

- a high overall level of economic wealth;
- relatively equal distribution of income and/or wealth;
- a market economy;
- economic development and social modernization;
- a feudal aristocracy at some point in the history of society;
- the absence of feudalism in the society;
- a strong bourgeoisie ("no bourgeois, no democracy," in Barrington Moore's succinct formulation);
- a strong middle class;
- high levels of literacy and education;
- an instrumental rather than consummatory culture;
- protestantism;
- social pluralism and strong intermediate groups;
- the development of political contestation before the expansion of political participation;
- democratic authority structures within social groups, particularly those closely connected to politics;
- low levels of civil violence;
- low levels of political polarization and extremism;
- political leaders committed to democracy;
- experience as a British colony;
- traditions of toleration and compromise;
- occupation by a pro-democratic foreign power;
- influence by a pro-democratic foreign power;
- elite desire to emulate democratic nations;
- tradition of respect for law and individual rights;
- communal (ethnic, racial, religious) homogeneity;
- communal (ethnic, racial, religious) heterogeneity;
- consensus on political social values;
- absence of consensus on political and social values.<sup>(37)</sup>

Whilst many of these factors are features of democracy, a number, such as the need for a colonial history, are contentious. Many of the factors may correlate with democracy but do not necessarily cause it. It is possible to distinguish some of Huntington's factors according to whether they affect the economy, civil society or political culture. These are analysed in section 1.2.3.

#### **1.2.2.1. Problem of Democracy**

It has not been possible to highlight one single factor which causes the transition to democracy, and the outcome of any process of democratisation can not be predicted. Huntington, while arguing that democracy is the only solution to the problem of tyranny, notes three paradoxes for democracy:

1. The initiation of elections forces political leaders into competing via appealing to tribal, ethnic, and religious constituencies, this being the easiest method. Democratisation thus promotes communalism and ethnic conflict.
2. Countries in a state of transition towards democracy are more aggressive in nature and thus more prone to fighting wars against foreign countries.
3. Democratisation leads to the removal of state constraints on individual behaviour, and so to a relaxing of social inhibitions, and ultimate uncertainty and confusion about a moral code. This results in socially undesirable behaviour such as crime, drug abuse and the disintegration of the family.<sup>(38)</sup>

Furthermore, Huntington argues that one threat to democracy can come from political leaders and groups who take power by election. He outlines three types of threat to democracy:

1. "Red return", that is the restoration of power through the election of former communists and former communist parties in central and eastern Europe and the former Soviet Union.
2. The electoral victory of parties or movements apparently committed to anti-democratic ideologies. [Islamic fundamentalist groups, for example Algeria in the 1992 elections].

3. Executive arrogation which occurs when an elected chief executive concentrates power in his hands, subordinates or even suspends the legislature, and rules largely by decree.<sup>(39)</sup>

This study will attempt to understand the path to democracy which Jordan has followed, the scale of success of the experiment and finally, given Huntington's threats to and paradoxes of democracy, the likelihood of continued democracy in Jordan.

### **1.2.3. Socio-Economic, Political and Cultural factors which Affect Democratisation**

This section moves the discussion away from the general theoretical analysis to a consideration of three factors which may affect the democratisation process. The factors discussed are economic structure, civil society and political culture.

#### **1.2.3.1. Economic Structure**

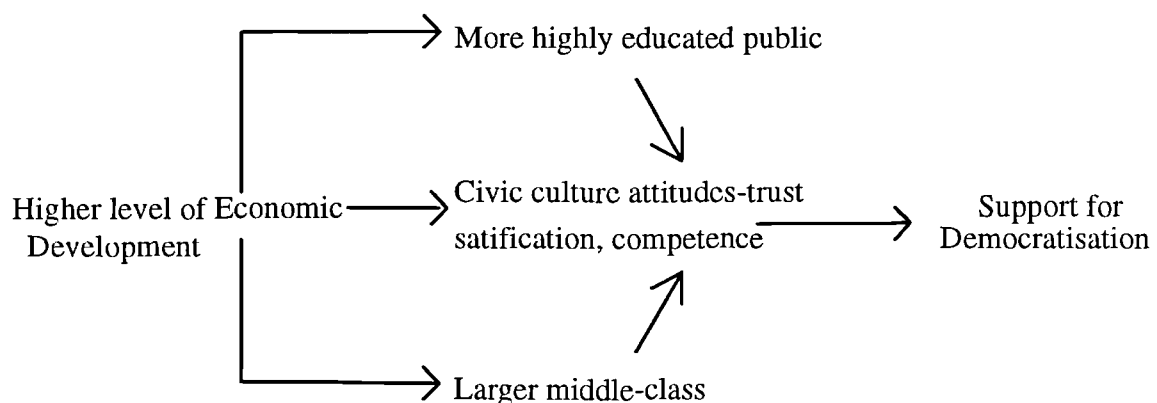
Huntington lists three economic factors which have affected the recent process of democratisation. First, the rise in the price of oil created an economic downturn in consuming countries, weakening authoritarian regimes. Second, many countries had achieved a level of economic development which provided a basis for democracy. Third, rapid economic growth in some countries destabilised authoritarian regimes, forcing them either to become liberalised or to intensify repression.<sup>(40)</sup> He indicates that a country moving toward democracy may experience one of these scenarios. From this argument, it is clearly stated that change to economic structure, either positively as in the case of development or negatively as in the case of recession, can provoke moves towards democratisation. The effect of positive change is economic development, and the effect of negative change is economic liberalisation which has been implemented due to economic recession.

### 1.2.3.1.1. Economic Development

Economic development is a basic condition for stable democracy, involving urbanisation, industrialisation, high education, and wealth. Lipset indicates that high per capita income and a high level of literacy are strongly correlated to the existence of democracy.<sup>(41)</sup> Huntington fundamentally agrees with Lipset, and adds that democracy must depend on wealth. A wealthy society has less political conflict, power tends to be shared and a substantial middle class needs to be supportive of democracy. He also argues that the link between economic development and democracy is "complex and probably varies in time and space".<sup>(42)</sup> He indicates that economic development is a significant factor involved in democracy but the two are not "determinative".<sup>(43)</sup> Economic development can not bring about democratisation by itself, but there is a correlation between the two.<sup>(44)</sup>

Economic development leads to a strengthening of anti-authoritarian feeling, political trust, life satisfaction and efficacy, which in turn are correlated to the rise in support of the existence of democratisation.<sup>(45)</sup>

**Figure 1.1: Socio-Economic Development and Democracy**



Source: Samuel P. Huntington, *The Third Wave*, 1991, p. 69



As shown in figure 1.1, economic development has a threefold effect according to Huntington. Firstly, he argues that the population becomes more educated, secondly a greater degree of civic culture is evident, and lastly a larger middle class is generated. All of these elements combine to support the process of democratisation. Economic development therefore creates a series of effects, such as education and wealth, which help form a positive basis on which to build the process of democratisation.

#### **1.2.3.1.2. Economic Liberalisation**

While Huntington argues that economic development can aid democratisation, he also argues that recession could have a similar outcome, through the implementation of economic liberalisation policies. This is expanded upon by Niblock in his discussion of democratisation and economic liberalisation in the Arab world. Niblock and Murphy define economic liberalisation as:

...any measure which strengthens the role of the market in the economy. The range of measures which are encompassed by the term is very extensive : the privatisation of formerly state-owned industry; the encouragement of private investment (whether domestic or foreign); the opening of stock markets, in which shares of public companies can be traded; the relaxation of state control over credit (whether as regards the level of interest rates or the purposes for which credit is made available); the cutting of state expenditure, with the consequent reduction of the overall burden which the state infrastructure imposes on the economy; the loosening of state controls over foreign and/or domestic trade; the re-ordering of labour laws such that wages and conditions reflect the value placed on labour by the market, rather than following governmental guidelines; and the re-structuring of the public sector so as to make public corporations able to respond directly to market conditions, as opposed to being continually subject to decisions taken from above in ministries.<sup>(46)</sup>

Economic and political reforms often appear to go together and are therefore worth comparative examination.<sup>(47)</sup> If the policies associated with economic liberalisation are fully implemented, they will ultimately have both positive and negative effects on

groups within society and within the state, affecting class balance and social bases of regimes.<sup>(48)</sup>

The early stages of economic liberalisation have led to protests from the masses. The reduction of public expenditure, largely for consumer subsidies, has caused riots and demonstration in Arab world countries such as Jordan, Egypt and Tunisia.<sup>(49)</sup> Wage reduction has resulted in increasing labour militancy. Limited and partial liberalisation is a rational political strategy for governments and bureaucrats, and explicates much of what is termed "slippage" by World Bank economists.<sup>(50)</sup>

The World Bank provides funds to counterbalance the effects of social upheaval, and these funds in turn boost government spending. However, this may be insufficient to avoid unrest. The resultant social protest has provided Middle Eastern regimes with fuel to fight against agencies seeking to implement policies of structural adjustment. Whether this is a consequence of inflation which can be prevented by structural adjustment or not, there is not enough evidence to point the finger at either side.<sup>(51)</sup>

As Ayubi argues, when economic liberalisation policies are initially implemented "economic liberalisation will not immediately lead to political liberalisation, but a more complex picture of multiplicity of interests and organisations in a state of competition, bargaining and intermediation".<sup>(52)</sup> Pool lists a general pattern which the policies of economic and political liberalisation tend to follow:

Economic liberalisation sets constraints on political liberalisation, and although a degree of political liberalisation can facilitate the introduction of economic reform measures, the social and political consequences of such measures put limits on the extent of political reform. As a result of this symbiosis and dialectical tension between the two processes, economic liberalisation is marked by progress and regress and political liberalisation is authoritarian, cautious and controlled.<sup>(53)</sup>

In his analysis, Niblock identifies three factors which could establish economic liberalisation: fiscal, monetary and development dilemmas facing the state, the international dimension and domestic politics, and social structure.<sup>(54)</sup> He then extends the argument by differentiating between economic liberalisation which is essentially internally-motivated and that which is externally-motivated. In the case of the latter, which is relevant to the Jordanian experience, there are tactical and structural reasons why economic liberalisation becomes linked to political liberalisation. Tactically, governments need to broaden the base of the responsibility in order to justify the implementation of unpopular policies, whilst structurally, the enforced economic policies reduce the ability of the government to buy the support of particular social groupings. In order to establish a new basis for legitimacy, the government is required to open, at least partially, the political system for public participation.<sup>(55)</sup>

In the Middle East, especially in the Arab countries, the economic crises which affected the non-oil states has led to a process of economic liberalisation. In order to offset the negative effects of this process such as reduced welfare and increased prices, a policy of political liberalisation has been implemented in a number of countries. By allowing political participation, the blame for unpopular policies can be deflected more easily from the ruling elite.

#### **1.2.3.2. Civil Society**

The concept of civil society has been highlighted in the literature of democratisation, which links democracy, liberalisation, development and peaceful management of domestic and regional conflict.<sup>(56)</sup> Civil society can be defined as the "framework within which those without political authority live their lives - economic relationships, family and kinship structures, religious institution and so on".<sup>(57)</sup> According to Brynen et al, it has three dimensions which are emphasised to different degrees by different writers. The first is an organisational one, where civil society is defined as the way in which society organises itself "at the level between the family and the state". In this respect,

civil society takes the form of various groups, associations, unions and parties which come together and soften any possible blow between citizen and state. The second, more abstract dimension focuses on the "civility" of society characterised by pluralistic discourse, tolerance, and moderation. A third dimension emphasises a certain quality of state-society relations.<sup>(58)</sup>

Civil society institutions include political parties, trade unions, professional associations, community development associations, and other non-government interest groups. Thus, civil organisations form the institutional bedrock that is an important and necessary pre-requisite for a true democracy.<sup>(59)</sup>

The correlation between democratisation and civil society is very high. Civil society organisations provide a basis for democracy, by checking and maintaining the balance of power in the state.

#### **1.2.3.3. Political Culture**

Whilst Niblock and other writers stress structural factors such as the economy in affecting the processes of political liberalisation and democratisation, others such as Michael Hudson stress that an understanding of political culture is necessary to any attempt at understanding politics, regardless of the country, whether it be in the Arab world or elsewhere.<sup>(60)</sup> Similarly, Lipset argues that cultural factors appear to play a more significant role in bringing about democracy than economic ones.<sup>(61)</sup>

Political culture could then clearly be an important factor explaining the emergence of democracy. It has been defined by David Robertson as "the totality of ideas and attitudes towards authority, discipline, governmental responsibilities and entitlements and associated patterns of cultural transmission such as the education system and even family life".<sup>(62)</sup> The ideas and attitudes within political culture are derived from the

broader culture of society itself. Thus, controversially, Huntington argues that political culture and therefore democracy are closely linked to religion.<sup>(63)</sup> He argues that historically, Protestant-based societies are more democratic than Catholic or Islamic ones. Islam, Hinduism, and Confucianism support authoritarian regimes, being consumption-led societies. In contrast, an instrumental society will adapt more easily to change and so will be more democratic.<sup>(64)</sup> This thesis is open to argument in that democratisation has been successfully implemented in Catholic countries such as Spain and Italy, the Hindu country of India, and the Islamic country of Turkey. Furthermore, Islamic society is based partly on the concept of *shura* (consultation), and *ijma* (consensus), which lie at the heart of the democratic practices of accountability and power-sharing. Lipset argues that religion is not the only factor in determining whether a country will become democratic or not. He indicates that the pre-requisites for democracy are general and universal, therefore democracy can be achieved in any culture. Economic, political and social culture and religion all influence the development of democracy. Legitimacy of existing political institutions, popular support for democratic reform and successful economic development all play an equal role in the transition to democracy.<sup>(65)</sup> The most enduring political cultures are those that evolve gradually.

Almond and Verba argue that social factors such as education are crucial for the development of those ideas and attitudes deemed adequate for the active participation necessary for democratic politics. They argue that the educated classes possess the key to political participation and involvement, while those with less education are less well equipped. Moreover, they indicate that the more highly educated may tend to consider themselves in a better position to influence the government and be freer to participate in political discussion.<sup>(66)</sup> Lipset agrees with Almond and Verba, adding that education presumably broadens the mind, enabling one to understand the need for norms of tolerance, and restraining one from adherence to extremist and monistic doctrines, increasing the capacity to make rational electoral choices.<sup>(67)</sup>

Huntington lists four values and beliefs associated with political culture that affect the emergence of democracy. Two of these values reduce the likelihood of a successful transition to democracy, namely where the political culture values highly hierarchical relationships and extreme deference to authority, and where there is a great stress put on the need to acquire power. The other two values increase the chances of democracy. These are where there is a high degree of mutual trust and secondly, a willingness to tolerate diversity and conflicts.<sup>(68)</sup>

Democracy requires both citizens and political elites to accept the basic rights of freedom of speech, assembly, religion, and the press. More fundamentally, democracy demands universal respect for institutions and processes of political life such that they create outcomes such as laws, regulations, policies, and election returns. It is this respect which writers such as Almond and Verba argue is determined by the political culture of the country. This, in turn, reflects the broader culture of society which is influenced by such diverse factors as education, religion and family structure. The transition from authoritarianism to democracy is partially controlled by the values and beliefs of the dominant political culture. Revolution and uprising have proved to be ineffective means of establishing a democratic political culture.<sup>(69)</sup> It is therefore not enough for citizens to struggle against the state, they also require political consciousness.

Socio-economic, political and cultural factors are clearly all of importance in forming the basis for the transition towards democracy in most countries. These factors effect the possibilities for democratisation, but they can not determine outcomes. In the case of Jordan, the factors which played the most important role in the process of political liberalisation include the high level of education, the economic recession in late 1988 and the growth and strength of the role played by civil society.

### **1.3. Part Three: Literature Review in Jordan Political Development**

#### **Introduction**

This section will review the relevant and available literature on political development in Jordan. The literature review will first mention a number of books and articles which give a historical background to this study. As the focus of the present study is the post 1989 period, there is little point in covering these works in detail. Attention will therefore be directed at those publications which cover specifically the democratisation process in Jordan since 1989. The review features thirteen significant publications of relevance to the study, of which eleven are articles and two are Ph.D. theses. The review is divided into three sections. The first covers the process of democratisation in Jordan in general. The second section reviews literature which studies specific aspects of the democratisation process. The third section looks at the literature covering the 1989 and 1993 elections. To date, there have been no publications of books on the period between 1989 and 1993.

#### **1.3.1. Historical Background: Literature Review**

The most important works in English on the early political development in Jordan are by Aruri, Jordan: A Study in Political Development 1921-1965, which describes how the political institutions evolved during that period; and Aqil Hyder, Jordan: A Political Study; 1948-1957, which is significant on the political development in Jordan. Mary Wilson's King Abdullah, Britain and the Making of Jordan is valuable in highlighting the events which shaped the early political history of Jordan. Kamel Abu Jaber's article "The Jordanian Parliament; 1921-1967", is also significant in describing the early experiences of Jordanian legislation. Of the works in Arabic, the most noteworthy is Madi and Musa's book, Tarikh al-Urdun fi al-Qarn al-Ishrin, (The History of Jordan in the 20th Century, 1900-1959), which explains the historical background of the country.

The second, Ali Muhafazah's Tarikh al-Urdun al-Mu'assir, (The Modern History of Jordan, 1921-1946), is useful in explaining the establishment of the country.

### **1.3.2. Literature Review: Overview of the Process of Democratisation**

The first four studies reviewed in this section help define and explain the determining factors in the process of democratisation in Jordan. The fifth is concerned with the evolution of the process of democratisation until 1993. Abd al-Fatah al-Rashdan (1994), conducted a study entitled, "Al-Tatawwar al-Dimuqrati fi al-Urdun" (Democratic Development In Jordan: 1952-1989). He describes the political development in Jordan during three separate periods: the first from 1952 to 1967, the second from 1967 to 1984, and the third from 1984 to 1989. His article is based on books and articles addressing Jordan's political development. He focuses briefly on the 1989 elections and comments on factors which influenced the country and paved the way for political liberalisation in Jordan.

Al-Rashdan states that there were several factors behind the initiation of political liberalisation in Jordan. These factors were the disengagement from the West Bank, the economic crisis of 1989, and the growing socio-economic infrastructure in Jordan. He concludes that the Jordanian political system is a democratic system in terms of both the Jordanian Constitution and the international standard of democracy. His argument is that the previous setback was normal for most developing countries. However, it would appear that al-Rashdan could have explained in greater depth that setbacks have different backgrounds in different countries.

A further general study is by Robert Satloff (1992) entitled "Jordan's Gamble: Economic Crisis and Political Reform". This study is relevant in that it analyses the events which created the conditions for the start of the political liberalisation process. He studies the conflicts associated with political liberalisation, basing his research on a



literature review. He notes four political events which shook the country during 1989 and the early 1990s. These events were the economic crisis, the April riots, the results of the 1989 general election which brought in more than a third of parliamentary members from the opposition (mainly the Muslim Brotherhood), and Iraq's invasion of Kuwait which turned Jordan's economic and political situation upside-down and resulted in the loss of Jordan's largest trading partner, Iraq. Satloff argues that if the idea behind the elections and popular participation was simply for the government to share the burden of responsibility for a continued austerity programme and retrenchment, the elections would be a step backward. He states that Jordan was engaged in a great gamble. The tension between the regime and the Jordanian citizens, both economically and politically remained great. Accordingly, he concludes that the only point of agreement among all Jordanians was a need for economic recovery and political stability in the near future.

In 1994 al-Hawamdeh carried out a study entitled "Political Development in Jordan from 1988 until the Present". The 'present' referred to is 1994, the date when al-Hawamdeh completed his Ph.D. thesis. His study is relevant as it explains the factors which encouraged the political development process in Jordan, and its consequences. Al-Hawamdeh used a questionnaire method to collect his data, along with relevant literature. His sample was 510 respondents between the ages of 21 and 60, selected randomly from the Jordanian population. The aim of his study was, in part, to find out the effect of three variables on the political development in Jordan; the effects of education, economics, and urbanisation; how tribalism and communalism influenced the political development process; and how the political reform of 1989 influenced political participation. He also focused on moderate consensus among Jordanian citizens, and established that they appeared to be politically informed, interested and active. However, other democratic norms were rare among Jordanians, and distrust and dissatisfaction with government institutions existed. Al-Hawamdeh conducted his survey in the summer of 1992, less than two years after the initiation of political

liberalisation, which was possibly too early to evaluate the success of political reform in Jordan after two decades of parliamentary suspension.

Katherine Rath (1994) carried out a study on democracy in Jordan entitled "The Process of Democratisation in Jordan". She looks at the 1989 election and the political reforms which took place during 1989 to 1992. Rath reviews literature on democracy in Jordan and states that "the economic crisis coupled with the lack of political pluralism and political freedom appear to have been the main factors creating the circumstances in which the uprising was triggered".<sup>(70)</sup> She notes that political liberalisation was initiated after the April riots of 1989, which generated strong popular pressure for political change. Rath argues that the Gulf Crisis was a major political crisis in Jordan after the initiation of political liberalisation, and adds that the Gulf Crisis had the potential to destabilise the Jordanian regime and challenge the political opening in the country. Rath emphasises that the crisis improved political cooperation between the leadership and parliament and led to greater national unity. She concludes that the natural aim of the political liberalisation process in Jordan was the institutionalisation of democracy.

Beverley Milton-Edwards' 1993 study is also worth examining. Her article is entitled "Facade Democracy" and relates specifically to Jordan. She uses the concept developed by Finer (1970) who argued that a facade democracy was "a system where liberal-democratic institutions, processes and safeguards are established by law but are in practice so manipulated or violated by a historic oligarchy as to stay in office".<sup>(71)</sup> Milton-Edwards argues that these political systems might not give way to liberal democracy. The study has in the writer's view a number of weaknesses. Firstly, the article is based mainly on secondary sources and lacks a sense of 'hands-on-experience' of the situation. Secondly, whilst it is true that the role of the King in the political environment is still very evident, a number of incidents highlight a changing relationship between the King, the cabinet, parliament and the people - for example, when

parliament overruled the King's rejection of the State Security Court Law. Furthermore, the article omits two important points, namely that the government must submit its intended programme to the Chamber of Deputies to obtain a vote of confidence, and that parliament has the power to alter the annual budget with the threat of a vote of non-confidence.

Milton-Edwards concludes that democracy in Jordan is weak and likely to remain that way for a long time, but the present researcher feels that raw evidence leads to a different conclusion. Her contribution to the present study is that she identifies several distinct political systems in Jordan, including the democratic system which is the subject of the present study.

### **1.3.3. Literature Review: Specific Aspects of the Process of Democratisation**

The studies reviewed in this section look at specific aspects of the process of democratisation in Jordan. Of these, the first two concentrate on state-civil society relations, whilst the latter studies look at Islam's role and its influence on the process of democratisation.

John M. Roberts, in his article published in 1991, analyses the link between the state and civil society and its role in political liberalisation in Jordan in the period from 1989 to 1991. His study, "Prospect for Democracy in Jordan", focuses on elements of Jordanian civil society and the emergence of a Jordanian national identity. Roberts' study is based on relevant literature on Jordan's political development. He states that an understanding of the current political liberalisation in Jordan can only be obtained through an investigation of specific national features. The author points out that the popular side of the transition reflects an awareness among Jordanian citizens of a

stronger relationship between state and civil society. Roberts concludes that the gap between state and society either decreased or was never large.

In the same vein, Laurie Brand (1995) is also concerned with civil society. Her study entitled "In the Beginning was the State...The Quest for Civil Society in Jordan", links political liberalisation with the state-society relationship and arrives at a theory of democracy that takes account of different state-society relationships within other developing countries. Brand's contribution here concerns the general parliamentary elections in Jordan and the political reforms which took place. She argues that the "state in effect conceded certain additional space to civil society, and enshrined in the National Charter of pluralism, tolerance, and civility as based on interaction in Jordanian society and politics".

In terms of the events leading up to the 1993 elections and the obstacles to the liberalisation process, Brand's study is the most relevant. The events described in her study are the changing of the electoral law, the ban on rallies on public property, and the threat of delay to the general elections as a result of the signing of the PLO-Israel Accord in mid-September. Brand indicates that, despite these events, aspects of the liberalisation process in Jordan such as the one-person, one-vote formula were discussed in the press. The High Court of Justice's decision to allow political rallies was a positive sign of growing freedom of expression, as was the decision to proceed with the general elections on the originally scheduled date. Brand concludes that the historical development of the Jordanian state and economy gave the state a much larger role in civil society than has probably been the case in many other developing countries, although there are no raw data in her study to support this particular conclusion.

Najib Ghadbian (1995) examines the idea of democracy with reference to the Islamic challenge. His Ph.D. thesis, "Democratisation and the Islamic Challenge in the Arab World", is based on interviews and literature, and uses Jordan and Egypt as case

studies. What is interesting about this work is the point that collective identity is a major prerequisite for the transition to democracy. He indicates that most political forces in Jordan have reached a working consensus on collective identity. In his study, he tries to explain why democratisation reached an impasse in the Arab world, the intersection of democratisation with the rise of the Islamists, and the prospects for democracy in the current contexts of the Arab world. He concludes that the Jordanian democratic experiment is useful in two ways: it provides an alternative to the polarization of violence which characterises the way other Arab regimes have dealt with opposition, and it succeeds in including the Islamists in the political process. Whilst his work concentrates mainly on the role of the Islamic movement in the political process in Jordan, it does include relevant information on the Jordanian democratic movement with reference to the 1989 and 1993 elections.

Likewise, Leonard Robinson (1994) looks at political liberalisation in Jordan focusing on the Islamists' participation and success in the 1989 election. His study, entitled "Al-Dawlah wa-al-Islamiyun wa-al-Infitah al-Siyasi fi al-Urdun" (State, Islamists and the political opening in Jordan), is based on secondary material, mainly periodicals and journals. His contribution is his examination of the background to the 1989 election and the role of the Muslim Brotherhood in the move towards democratisation. Robinson argues that the Jordanian regime and the Muslim Brotherhood will continue to co-exist on a basis of mutual interest. He points out that, historically, the Islamists did not constitute any real threat to King Hussein's regime. Robinson concludes that the experience of political liberalisation in Jordan puts it in the list of countries which witnessed "a change from the top". He also indicates that the challenge to the regime did not come from fundamental radicalism but from the regime's need to establish the process of political liberalisation, in order to perpetuate both the regime and political liberalisation beyond the end of the King's reign.

#### **1.3.4. Literature Review on the 1989 and 1993 Elections**

The final four reviews look at specific writings on the 1989 and 1993 elections. The first, a study by Kamel Abu-Jaber and Fathi (1989) entitled "The 1989 Jordanian Parliamentary Elections", is based on an analysis of official documents and some secondary literature. This study is relevant as it analyses in depth the 1989 elections. The authors argue that some of the elements associated with democracy such as elections were actually present in the parliamentary history of the Jordanian government. Furthermore, Abu-Jaber and Fathi note that new elements of democracy have been added, such as women becoming actively involved in elections from 1989 following the change in the election laws. Their work includes information on Jordan's democratic government established in 1989, which is the point from which the present study's analysis commences. Abu-Jaber and Fathi's work is only concerned with the 1989 election, while the present study aims to base itself on what happened not only in 1989 but also the years up to 1993.

Another study is that of Asher Susser (1989), called, "Jordan, Al-Mamlaka al-Urduniyyah al-Hashimiyyah", [The Hashemite Kingdom of Jordan]. This focuses on the political development of Jordan in 1989, and is based mainly on information gleaned from the Jordanian media. Its relevance to this thesis is that it examines the background and the circumstances of the 1989 events. Susser concentrates on three major events which shaped the domestic political scene in Jordan during 1989: the economic crisis; the outbreak of the riots; and the first general election for two decades.

Susser argues that the April riots of 1989 prompted the regime to conduct an open process of liberalisation in order to restore the damaged legitimacy and credibility of the regime. He notes that the riots were not the only reason why general elections were called, and indicates that the desire for democracy at that time had a momentum of its own, arising from the severe domestic crisis. Susser's study includes information on the conduct of the general parliamentary elections of 1989, the results of the elections, and

the success of the Muslim Brotherhood as a large bloc in parliament. Overall, Susser argues that the liberalisation process is a step towards democracy.

A further study by Abla Amawi (1994) looks at democracy in Jordan by focusing on the 1993 general elections. "The 1993 Elections in Jordan" is based mainly on Jordan's newspapers and some other secondary sources. She points out that the 1993 elections marked a significant development in Jordan towards the consolidation of Jordanian democracy because this was the first election to be held in the new and liberalised legal atmosphere and was the first multi-party election since 1956. Amawi argues that the measures which the government took prior to the election, including the changing of the electoral law and the banning of public meetings which was overturned by the High Court of Justice, affected the composition of parliament. She states that the result of the elections was a clear sign of a maturing democratic political process in Jordan and the election underscored the predominance of tribalism, financial clout, and place of origin rather than political ideologies. Amawi concludes that the 1993 elections brought a pro-government Chamber of Deputies with limited power which had no real influence on major political issues. As Amawi's article was written only a few months after the elections, it is not possible to argue that the Chamber of Deputies had no real influence on major political issues.

Hani al-Hurani (1994) carried out a study entitled "Intikhabat 1993 al-Urduniyyah: Qira'ah fi Khalfiyatiha, Zurufiha wa Nata'ijiha" (Jordanian 1993 Election: Its Background, Circumstances, and Results), based on only one article by the New Jordan Research Centre. He points out that the 1993 elections were significant for two reasons. First, the elections constituted a practical experiment for the continuation of the democratic process, and were the first elections to be conducted after the initiation of the political parties law. The second reason was the PLO-Israel Accord, which was signed a few weeks before the general elections in September 1993. The Accord influenced the pre-election atmosphere with strong indications that the Jordanian

election would be postponed and the future participation of Palestinians in Jordan political life was questioned.

Al-Hurani argues that the success of the first female politician in Jordan constituted a significant step towards increasing the role of women in Jordanian political life. He concludes that democracy in Jordan needed time and that the 1993 elections were conducted within a special environment, resulting in a pro-government parliament.

From this review it is clear that no comprehensive study has been made of the process of democratisation in Jordan from the inception of the 1989 election. This study aims to fill this gap by introducing significant new information, which will assist in the analysis of the changing political environment in Jordan.



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**Chapter Two**  
**The Development of the Constitutional Framework and Political**  
**Institutions: 1921-1967**

**Introduction**

Jordan came into being as a separate entity in 1921. Participative political institutions have been an element in the political structure in Jordan since the promulgation of the Organic Law of 1928 (the Constitution), which was followed by the election of five Legislative Councils over the period until the announcement of the independent state of Jordan in 1946. These Councils were controlled by the executive authority and did not play an effective role in advancing widespread political participation. Real parliamentary life in Jordan began with the promulgation of the 1947 Constitution and was enhanced by the 1952 Constitution which liberalised the political system in the country. Although a relatively a new state, Jordan has a history of modifying and adapting its political institutions to suit the demands of the time.

This chapter is composed of two parts. Part one covers the pre-constitutional period, 1921-1947, and its importance stems from its coverage of the state-building process and the creation of government in Transjordan. It provides an explanation of the political development and the emergence of the constitutional structure in Transjordan. Part two discusses the building of constitutional institutions in Jordan from 1947 to 1967. The chapter covers the roots of political participation established in the country following the 1928 Organic Law. It also examines the early role of political parties and their strength within the Jordanian system.

## **2.1. Part One: Pre- Constitutional Period, 1921-1947**

### **2.1.1. The Background to the Creation of the Transjordan State**

Between 1516 and 1917, the territory of Transjordan formed part of Syria under the Ottoman Empire. It was a neglected governorate (*mutasarrifiyyah*), under the *vilayet* of Syria. The Ottomans did not wish to control directly the area which they called the "East of the Jordan River" because, being composed largely of Bedouin, it was difficult to rule. In the last decades of Ottoman rule, Transjordan was divided into three divisions under Ottoman administrative regulations: the *sanjak* of Ajloun, the *kaza* of Balqa, and the *mutasarrifiyyah* of Karak.<sup>(1)</sup>

When the First World War broke out, the Ottoman state supported Germany against Britain, France and their allies. During the war, secret agreements were made between Britain and France to share between them most of the Arab territories of the Ottoman Empire.<sup>(2)</sup>

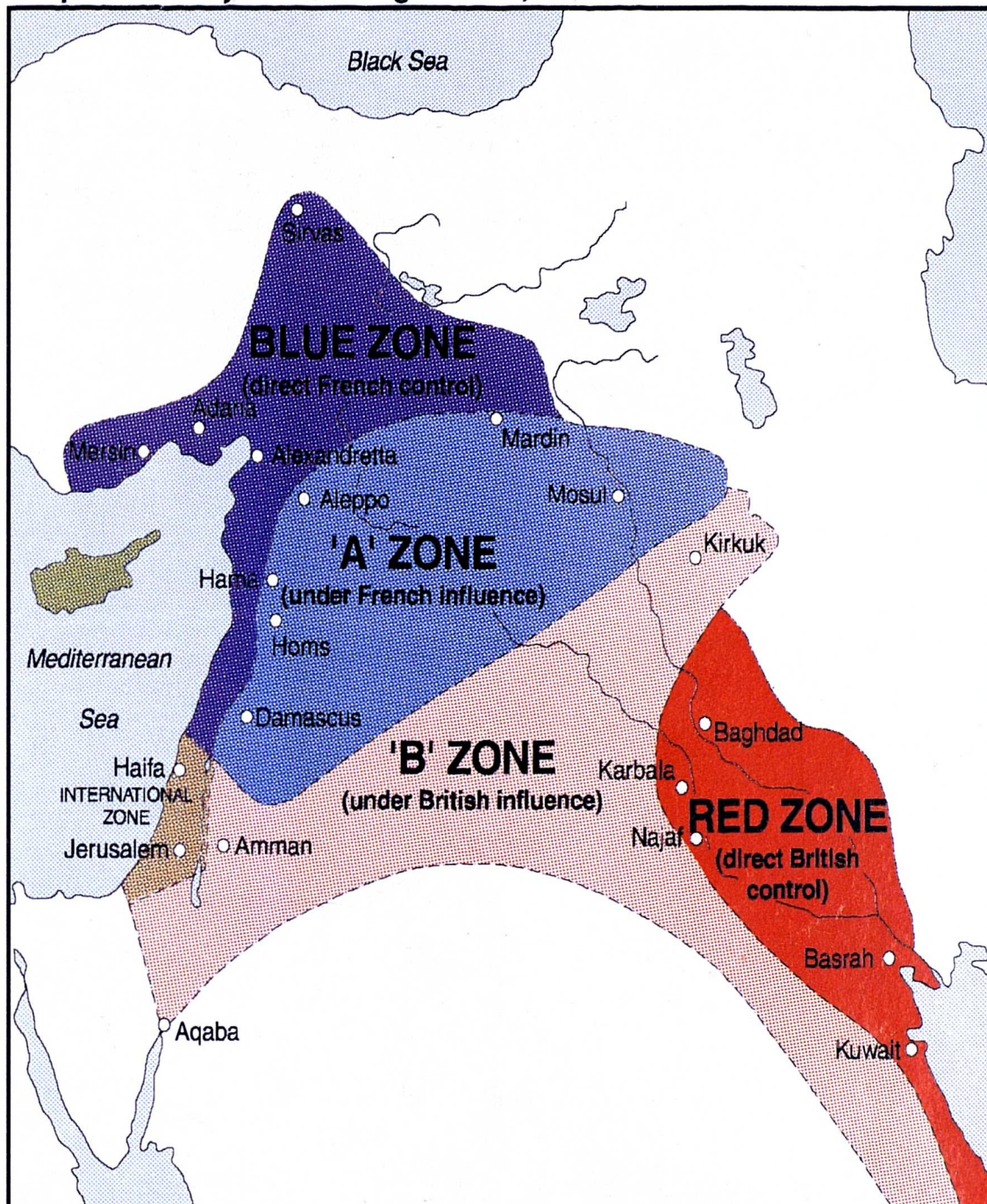
The Allies promised Sharif Hussein Bin Ali of Mecca, widely seen as the leader of the Arabs of Syria as well as of Hijaz, an assurance of Arab independence and freedom if the Arabs would revolt against the Turks. When the Arabs knew that they could not achieve their objectives without the help of a foreign country, correspondence began on July 14, 1915 between Sharif Hussein and Sir Henry McMahon, the British High Commissioner in Cairo, and continued until March 16, 1916.<sup>(3)</sup> In this correspondence the Arabs were promised independence in areas they inhabited in the ex-Ottoman territories in Asia. The correspondence did not however take the form of an official agreement between the concerned parties. In the meantime, the political situation was becoming more complicated. On May 16, 1916, the British and French governments reached an agreement on the division of the Ottoman Empire territories, called the Sykes-Picot agreement.<sup>(4)</sup> Under this agreement, the Arab areas were to be divided as follows [see map 2.1]:

1. France and Great Britain are prepared to recognise and uphold an independent Arab state or a confederation of Arab states in the areas (A) and (B) under the suzerainty of an Arab Chief. France in area (A) and Britain in area (B) shall have a right of priority in enterprises and local loans. In their respective areas, France and Great Britain shall supply foreign advisers to the confederation of Arab states.
2. France was to control the Blue area (Coastal belt from a little north of Haifa to a point west of Mersina, including Cilicia and Mosul). Great Britain was to control the Red area (southern Mesopotamia from the Persian Gulf to a line south of Baghdad, and the ports of Haifa and Acre). Both powers were to set up administration in the Blue and Red areas respectively after they had reached an understanding with the Arab state or confederation of states.
3. In the Brown area there shall be established an international administration of which the form will be decided upon after consultation with Russia, and after subsequent agreement with the other Allies and the representative of the Sharif of Mecca.<sup>(5)</sup>

On June 9, 1916, Sharif Hussein declared an Arab revolution in an attempt to achieve Arab independence from the Ottoman Empire. The Arab revolutionary army, under the leadership of Amir Faisal Bin al-Hussein and with the help of Britain, marched from the Hijaz and captured Aqaba on July 6, 1917.<sup>(6)</sup> Consequently, the Arab revolutionary army cooperated with the British Army in Palestine in important military operations against the Ottomans.

After the capture of Damascus on October 1, 1918, General Allenby requested the Amir Faisal to form a military government in the area located east of the Jordan River. This area extended from Aqaba to Damascus. On October 5, 1918, Amir Faisal formed a military government in Damascus in the name of King Hussein Bin Ali. The military government was under control of Ali Rida Pasha al-Rikabi, who was given the title of "General Military Governor". The military government was to report to General Allenby throughout the period of the war. The Arabs believed that their allies would support their independence, but this hope was to be disappointed. Confronting the intrigues of the French and the British, Amir Faisal and his government decided to

**Map 2.1: The Sykes-Picot Agreement, 1916.**



**Source: Deborah J. Gerner, "One Land, Two Peoples: The Conflict Over Palestine", (Westview Press, 1991), P.30.**

involve the public in sharing and bearing the responsibility. The Amir and his government determined to carry out elections to appoint formal representatives, and so assembled at a conference in Damascus to exchange ideas and views about the future of the country and the form of the government. On June 2, 1919, the conference was inaugurated formally in Damascus to discuss the above points, and Transjordan was represented by ten members (MPs) who were elected according to the old Turkish election law.<sup>(7)</sup>

Amir Faisal failed however to win his point against British and French imperial aspirations in the area. On July 24, 1920, the French army, under the leadership of General Henry Gouraud, marched towards Damascus and defeated a small section of the Arab army at the *Maysalun* battle. The French army then occupied Damascus and ordered King Faisal to leave the city.<sup>(8)</sup>

In accordance with the Sykes-Picot agreement, placing Transjordan under British influence, the French did not advance southwards into Transjordan. Consequently, Transjordan remained with neither government, army nor police to maintain security. This situation made Sir Herbert Samuel, the British High Commissioner in Palestine, take the initiative to appoint a small number of British officers in order to help the people of Transjordan organise their government.<sup>(9)</sup>

On August 20, 1920, a meeting was convened for the national leaders of Transjordan. At that meeting, Samuel delivered a speech declaring the interests of Britain in establishing a separate administration independent of Damascus east of the Jordan River. This administration would make use of the assistance of British governors and administrators.<sup>(10)</sup> The following local administrative districts were created:

1. Ajloun Administrative District, under the leadership of Ali Khalgi Al-Sharayri.
2. Al-Salt Administrative District, under the leadership of Mazhir Raslan.



3. Karak Administrative District (Mu'ab), under the leadership of Rufayfan al-Majali.<sup>(11)</sup>

These administrative districts had similar characteristics. They were not internationally recognised, each one was under the guidance of a British political officer, and their leaders were drawn from the strongest tribal leaders. Moreover, the local administrations did not receive any financial or military aid from Britain or any other country.<sup>(12)</sup>

The local administrations did not last for long. The formation of the al-Salt administrative took place in August 1920, and was followed by the formation of an administrative district in Ajloun and another in Karak in September 1920. They were all cancelled in April 1921 when the first central government was formed in Transjordan.

#### **2.1.1.1. Amir Abdullah's Movement in Transjordan**

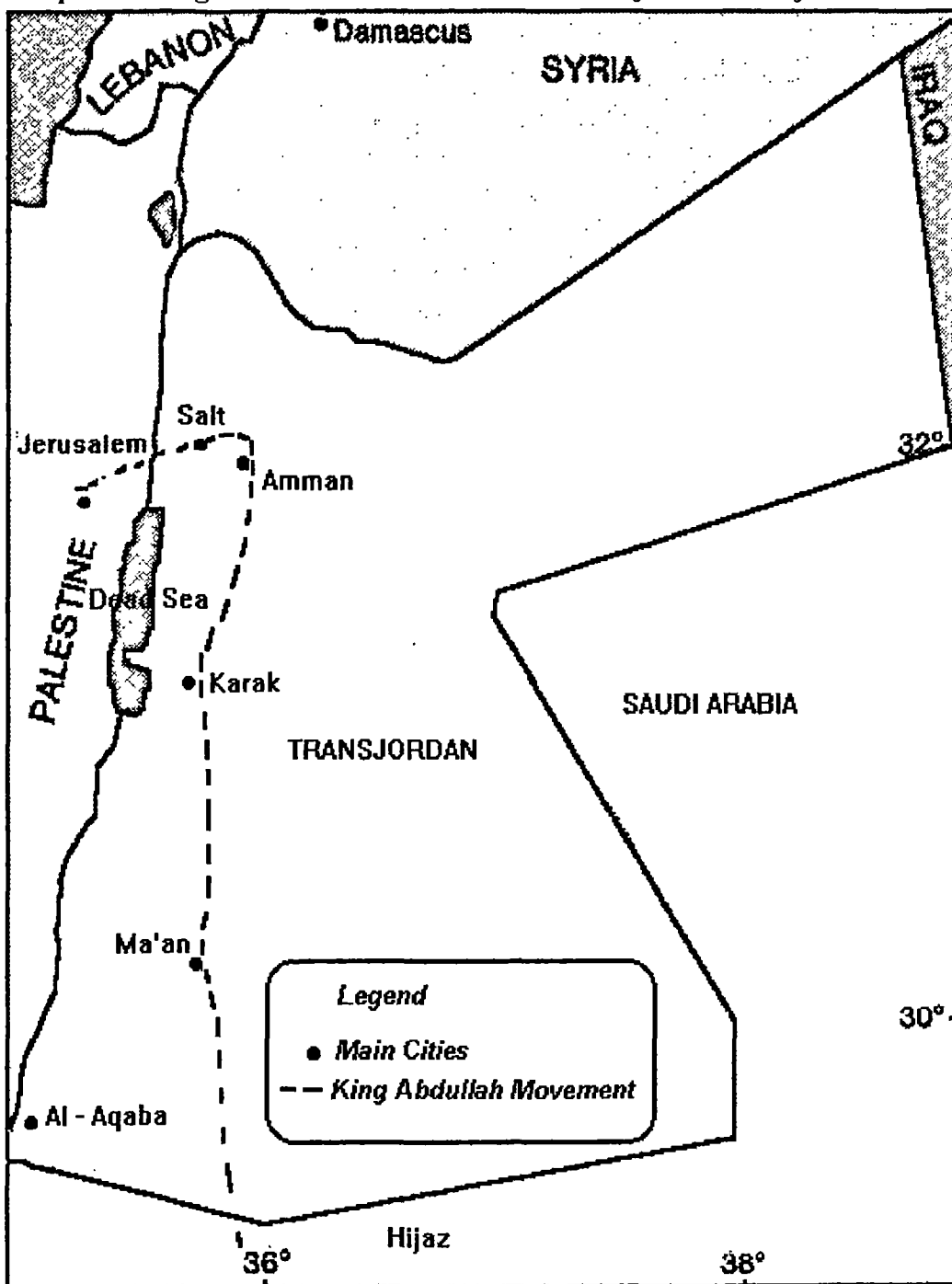
The presence of the French in Syria and the removal of King Faisal in July 1920 angered both Sharif Hussein and his son Amir Abdullah. As a result, they decided to attempt to reclaim the Syrian throne, especially after a great number of political and tribal leaders in Transjordan and Hawran had contacted Sharif Hussein and asked him to send one of his sons to lead a national opposition movement against the French.<sup>(13)</sup> Amir Abdullah Bin al-Hussein, the Minister of Foreign Affairs in his father's government in Hijaz, was chosen for that mission. Heading a military group, he moved towards Ma'an on November 11, 1920<sup>(14)</sup> [see map 2]. He then started to contact distinguished Syrians with a view to achieving the objectives of his mission, and declared himself deputy of the King of Syria. On December 5, 1920, he called on the Syrians to co-operate and fight for the sake of their country.<sup>(15)</sup> France and Britain did not appreciate the movement of the Amir Abdullah into Transjordan. Whilst France started to prepare itself for any movement from Transjordan towards Syria, Britain did



not initially wish to make any changes that would disturb the local administrations. After the Iraqi revolution in 1920 and the new development in Transjordan however, Britain gradually began to change its policy.<sup>(16)</sup>

In accordance with a proposal made by Winston Churchill, Secretary of State for the Colonies, Britain held a conference of British military and government personnel in Cairo in March 1921, to discuss the post-war British policy in the Middle East.<sup>(17)</sup> As the conference was discussing the question of Transjordan, members heard that the Amir Abdullah had entered Amman.

Map 2.2: King Abdullah's Movement from Hijaz to Transjordan



### **2.1.1.2. The Amir Abdullah-Churchill Agreement**

Before the opening of the Cairo conference, Britain announced its opposition to the presence of Amir Abdullah in Transjordan. On March 12, 1921, Amir Abdullah sent his secretary 'Awni Abd al-Hadi to Cairo. Abd al-Hadi's mission was to explain to Churchill the Amir's claims to Syria and to confirm the Amir's friendship with Britain. Churchill replied that he would visit Jerusalem and meet Amir Abdullah.<sup>(18)</sup>

Amir Abdullah and his secretary 'Awni Abd al-Hadi travelled to Jerusalem to meet Churchill at the invitation of Sir H. Samuel, and talks began between the two parties on March 27, 1921.<sup>(19)</sup> After two days of negotiation, the following basic principles were agreed upon:

1. The establishment in Transjordan of an Arab Government under the Amir Abdullah.
2. Transjordan would be independent under a British mandate.
3. The British Government would assist Transjordan with an annual subsidy to maintain a force to keep order in the country.
4. The Transjordan Government would undertake to prevent hostile acts against Syria and Palestine.
5. The policy of the Jewish national home would not be applicable to Transjordan.
6. A British air force and some armoured cars would be stationed in Amman.<sup>(20)</sup>

This agreement between Amir Abdullah and Churchill offered two advantages to the British government. First, the local administrations which had failed to establish law and order were cancelled and replaced by a central authority. Second, the installation of a Hashemite ruler in Transjordan in 1921 (as well as Iraq) could be presented as a fulfilment of Britain's promises to Sharif Hussein for his cooperation with the British Army during the First World War.<sup>(21)</sup> The creation of the Emirate of Transjordan in this agreement was an important step in the development of the Jordanian state.

### **2.1.2. Creating a Government for Transjordan: State-Building, 1921-1928**

After the agreement was reached between Amir Abdullah and Churchill, the Amir returned to Amman to establish his new administration. He appointed Rashid Talai' to head the Council of Consultants (*majlis al-mashawirin*), formed on April 11, 1921. This council could be considered to be the first central government of Transjordan. After the formation of the new government, Samuel visited Amman to participate in the establishment of the new administration. He named Julius Abramson as the chief British representative, and appointed seven political officers to give Amir Abdullah advice and to supervise his administration.<sup>(22)</sup> Most of the employees in the first Transjordanian administration were members of the Syrian *Istiqlal* (independence) Party who had been expelled from Syria by the French authorities.<sup>(23)</sup>

On September 16, 1922, the council approved the British mandate (protectorate) over the Transjordan Emirate. In October 1922, Churchill invited Amir Abdullah to visit London to discuss the final settlement of the Transjordan Emirate question. Amir Abdullah arrived in London on October 15, 1922, accompanied by the administrative secretary of the Advisory Council al-Rikabi, to start negotiations with the British government the following day. Amir Abdullah's demands included complete independence for Transjordan under his rule; a declaration of the inapplicability of the Balfour Declaration to Transjordan; and a treaty between the two parties. However, no agreement was achieved as the British government changed on October 19, 1922 and the negotiations were thus postponed.<sup>(24)</sup>

On May 25, 1923, the British government delegated Samuel to formally announce in Amman the recognition of Transjordan as an autonomous state under mandatory jurisdiction. The announcement ran as follows:

Subject to the approval of the League of Nation, His Britannic Majesty's Government will recognise the existence of an independent government in Transjordan under the rule of his Highness the Amir Abdullah, provided that such government is constitutional and places his Britannic Majesty's Government in a

position to fulfil its international obligations in respect of the territory by means of an agreements to be concluded between the two Governments.<sup>(25)</sup>

In June 1923, the Transjordan Emirate was divided into the following districts: Amman, Madaba, Karak, Jerash, Irbid, and al-Salt.

#### **2.1.2.1. Constitutional Framework**

In the period of the Ottoman Empire, the area east of the Jordan River was represented by Shaikh Tawfiq al-Majali, who was elected as a member in the Ottoman House of Delegates (*majlis al-mabuthan*) in both 1908 and 1914. The House of Delegates could be considered as a parliament for the Ottoman Empire. Following the 1914 meeting of the House of Delegates, the first session of the Council of Representatives for the *vilayet* of Syria was established, to which Transjordan sent six delegates, and to the second seven.<sup>(26)</sup>

The initial system of representation in the Emirate of Transjordan was the unelected Consultative Council (*majlis al-shura*). This council was created on April 1, 1923, according to a recommendation from the Amir Abdullah. It was headed by the Chief Justice and included the Directors of Accounts, General Appeals, Education, Revenues, Land Registration, Agriculture, and Post and Telegraph. The Council was responsible for trials of civil servants, drafting laws and regulations, and dealing with appeals against administrative decisions.<sup>(27)</sup> The council issued a number of laws and regulations and continued to carry out its functions until it was dissolved on April 1, 1927.<sup>(28)</sup>

##### **2.1.2.1.1. The Basic Law of 1924**

On July 12, 1923, a Royal Decree was issued for the formation of a national committee under the Secretary of Justice, with two representatives from each district, in order to

draw up the law for the Council of Representatives.<sup>(29)</sup> In November 1923, the committee laid down the Election Law for the Council of Representatives. This was approved by the government, and directives were issued for its implementation. The King then formed a committee composed of legislators on March 30, 1924, to lay down the Basic Law for the Transjordan Emirate. The committee, headed by the Director of Archaeology, laid down the Basic Law after consulting the national leaders and senior personnel, and thereby created a constitutional and legal framework for the Transjordan Emirate.<sup>(30)</sup> However, nothing followed from this as the British authority refused to accept the development. This Basic Law, which was to shape the political awareness of Transjordan, consisted of eleven chapters with 84 Articles.<sup>(31)</sup> The most important chapters related to the rights of the throne, the rights of individuals and groups, the Representative Assembly and the audit office.

Chapter two was related to the rights of the throne, and in so far as the throne was central to the system, was the most important. This chapter also established the position of the Amir. Article five declared: "The Amir of the Arab East is the Amir 'Abdullah the Son of the Amir of the Faithful and King of the Arabs al-Hussein I Bin 'Ali".

Article [6] described the rules of succession, stating that:

The Emirate succession is to the eldest son of the Amir 'Abdullah on vertical line. If the Amir has no son it is to the nearest male to him and if no male son of the Amir remains, an Amir for the country will be elected from the Heirs of the Amir of the Faithful King al-Hussein I.

Article [9] laid down the Amir's rights and authority in administration. This read as follows:

The Amir is the General Commander and has the right of concluding treaties subject to approval by the Representative Assembly after its formation. He has the right of declaring a general amnesty, and the right to appoint the Prime Minister and

the approval of the formation of Cabinet and accepting its resignation and promulgation of Laws and special amnesty and reduction sentences of the sentenced and opening of the Representative Assembly and convoke it in accordance with Article [42] and call it in other than its normal times and extend its sessions when necessary and award medals, official ranks and issue currency and direct military ranks and Royal status in accordance with their special laws.

The third chapter related to the rights of individuals and groups, and described their relationship with the central government. Article [12] provided for freedom of individuals and groups and declared that: "Personal freedom is safeguarded from aggression and it is not permissible to arrest any one except for reasons and manners described by law".

Article [14], which declared the freedom of religion and race, stated:

It is not permissible to interfere in the freedom of faith and religion and no objection is allowed against religious celebrations by all religious sects on condition that they may not harm public security and public decency and do not infringe on the devotions of other religions and sects.

Article [16] covered the inhabitants' right to complain to the government on certain matters as follows:

The inhabitants have the right to present their written complaints to the appropriate authorities as individuals and in the case of several complainers against a certain matter, their complaint shall be presented by one of them.

The fifth chapter related to the Representative Assembly and gave a central democratic structure to this institution. The representatives who were to be elected according to the Electoral Law of 1923 had similar freedoms to those of their counterparts in the Western democratic world. Article [45] described these freedoms as:

Members of the Representative Assembly are free to express thoughts and comments in the Assembly and no responsibility

whatsoever can be placed upon them because of that provided they do not contravene the Assembly's Internal Regulations.

Article [49] added a further element:

It is not permissible to arrest or to try any Representative for a normal crime before the session of the Assembly except by approval of the two thirds majority. An exception shall be made in case of witnessed crimes and in this case the Assembly must be informed immediately.

The last chapter related to the Audit Office. It laid down the operating practices that would observe the implementation of the government budget and cover all matters relating to finance. Article [67] read as follows:

The Audit Office shall examine the annual Government accounts and the Accountants records and observe the application of the Budget; they shall submit a general report on their observations and the results of their examination during the year to the Assembly at the beginning of the session and report to the Government every three months on the financial situation with a copy to the Assembly.

However, the envisaged Representative Assembly never had the chance to be formed and function, because the Basic Law was vetoed by the British Resident in Amman. The British Mandate Authorities preferred a consultative council rather than an elected body in this early period of the Emirate's existence. Importantly, the attempt to establish the Basic Law highlights the desire to promote the idea of representative institutions from the beginning of the Transjordan state.

#### **2.1.2.1.2. The Organic Law of 1928**

A further example of the early desire for representative institutions was illustrated by the 1928 Organic Law. In effect, the Emirate of Transjordan was ruled without any form of constitution until February 20, 1928, when the Anglo-Transjordanian Agreement was signed. This recognised Transjordan's self-government, but left finance



and foreign affairs under British control. The 1928 agreement provided for the adoption of an Organic Law for Transjordan, and the Organic Law was issued on April 16, 1928.<sup>(32)</sup> According to the Jordanian historians, Madi and Musa, the 1928 Anglo-Transjordanian agreement was 'imposed by the British Government without consultation or negotiation'.<sup>(33)</sup> The Organic Law was divided into seven parts and consisted of seventy-two Articles. The most important parts related to the rights of the people, the role of the Amir and the legislature. No mention was made of the source of authority, or the national identity of the country.

The parts that related to the rights of the people described the rights and freedoms of Transjordanians. Article [6] declared that:

The personal freedom of all dwellers in Transjordan shall be safeguarded from aggression and interference and no person shall be arrested or detained or punished or forced to change his residence or submitted to bonds or compelled to serve in the Army except in accordance with law. All dwelling houses shall be safe from aggression and no entry therein shall be permitted except in the circumstances and in the manner prescribed by law.

Article [7] covered the right of people to appeal to the court, stating that, "The Courts are open to all but no person shall be forced to submit to a Court other than the Court having jurisdiction in his case except in accordance with law".

The 1928 Constitution gave the right to all Transjordanians to assemble, to publish and express their opinions. Article [11] stated that: "All Trans-Jordanians shall be free to express and publish their opinions and assemble together and to form and be members of associations within the provisions of law".

Part two, dealing with the rights of the Emirate, granted the Amir the right to sanction and to promulgate all laws, but did not entitle him to modify or suspend laws. Article [19] provision [1] declared that:

The Amir is the head of the State. He sanctions and promulgates all laws and supervises their execution. He is not entitled to modify or suspend laws or to give dispensation in their execution, except in the circumstances and in the manner prescribed by law.

The Amir had the right to conclude treaties with the consent of His Britannic Majesty.

Article [19] provision [2] stated:

The Amir concludes treaties, but His Britannic Majesty shall have power to accede, when necessary, on behalf of Transjordan to any commercial or extradition treaty or general international convention to which His Majesty is a party for Great Britain and Northern Ireland.

According to Article [19], provision [3], the Amir had the right to order the holding of elections, and to convene and dissolve the Legislative Council. This provision read as: "The Amir issues orders for the holding of election to the Legislative Council, convokes the Council, opens it, adjourns it, prorogues it and dissolves it in accordance with the provision of the law".

The Organic Law envisaged the formation of an executive council, which was to be made up of a Chief Minister and other members not exceeding five in number, who shall be appointed by the Amir on the recommendation of the Chief Minister. The role of the Executive Council was to give advice to the Amir to whom it was responsible and accountable. Article [21] put this as follows:

There shall be for the purpose of advising the Amir an Executive Council consisting of the Chief Minister and other members not exceeding five in number who shall be appointed by the Amir on the recommendation of the Chief Minister either from among the principal officers of the Administration or the elected representatives of the people. The Executive Council is entrusted with the conduct of the affairs of Transjordan. It shall meet under the presidency of the Chief Minister to decide as to the measures which should be taken in matters appertaining to more than one Department and to investigate all important matters concerning a single Department. The Chief Minister will communicate to the

Amir the decisions of the Council and will ascertain his wishes in regard thereto.

Part three of the constitution dealt with the legislative power. According to Article [25] a Legislative Council would be brought into existence and would consist of:

- (a) .Representatives elected in accordance with the Electoral Law which shall have regard to the proper representation of minorities.
- (b).The Chief Minister and other members of Executive Council not being elected representatives.

Under the Electoral Law which came into effect on June, 17, 1928, Transjordan was divided into three districts, namely, Balqa, Ajloun, and Karak, and the sixteen elected members of the Legislative Council were to be divided as follows:

1. The non-Bedouin Muslims received nine seats in the Legislative Council.
2. The Circassians received two seats.
3. The Christian community received three seats.
4. The Bedouin received two seats. (These, however, were to be filled by appointment rather than election).<sup>(34)</sup>

The Electoral Law of 1928 provided the Circassians with one seat for every 5,000 inhabitants, while the Non-Bedouin Muslims received one seat for every 27,000 inhabitants, indicating that the minorities were over-represented.

The duration of the Legislative Council was for three years, but could be extended to five years in an exceptional case, according to a special or temporary Law. If the Legislative Council was dissolved, a new Legislative Council would be elected not more than four months after the date of dissolution. Article [30] declared that:

If the Legislative Council be dissolved, a general election shall take place and the new Legislative Council shall assemble in extraordinary session not more than four months after the date of dissolution. In any event this session shall be prorogued on the 31st of October so that the first ordinary session of the Legislative Council may assemble at the beginning of November.

Although the 1928 Constitution was drafted by the British mandatory authority without any local consultation, it provided a legal framework for a democratic system and formed the basis for the future political situation in Jordan. It also highlighted the wishes of the Transjordanians to establish a representative body. It was flexible and gave the Amir the right to make amendments within two years of its issuance.

#### **2.1.2.1.3. The Transjordanian National Charter, 1928 (*al-mithaq al-watani*)**

Leaders of intellectual opinion, who had hoped for a truly democratic representative government, objected to the agreement with Great Britain and the Organic Law. On July 25, 1928 a National Congress (*al-mu'tamar al-watani*), composed of 150 notables, tribal leaders, intellectuals and Syrian nationalists, who perceived themselves as representing the people of Transjordan, met unofficially in Amman to discuss the first Anglo-Transjordanian Treaty. They rejected the Anglo-Transjordanian agreement and adopted a Transjordanian National Programme called the "National Charter" (*al-mithaq al-watani*), declaring Transjordan a sovereign, independent and constitutional Arab state. The National Congress refused to recognise the British mandate over the territory of Transjordan and called for the creation of a government responsible to the legislative council and urged the people of Transjordan to boycott the 1929 general election. They denounced the Electoral Law and the Legislative Council, on the grounds that they were unrepresentative of the Transjordanian people.<sup>(35)</sup> The National Congress indicated the strong desire within Transjordan both for independence and for a representative government.

The National Charter, which was adopted by the National Congress, consisted of eleven Articles.<sup>(36)</sup> The Articles which were related to the sovereignty of the state defined the Emirate of Transjordan as an independent Arab state, administered by a constitutional independent government and headed by His Royal Highness the Amir Abdullah Bin al-Hussein [Article, 2].

Article [3] added a further element:

Transjordan does not recognise the principle of mandate except as an honest technical assistance for the country. This assistance shall be defined in accordance with an agreement or treaty to be concluded between Transjordan and Great Britain the Ally of the Arabs, on the basis of mutual right and interest without prejudice against national sovereignty.

Article [5] which was related to representation in Transjordan, made clear the importance of the representative process:

Every election for the general representation held in Transjordan contrary to the correct rule of representation or on the basis of no accountability of the government in the Representative Assembly will not be considered as representative of the general will of the nation and its national sovereignty within the rules of the constitution. In fact it will be considered an artificial election without correct representative value. If members elected on that basis decide on a political financial or legislative right which harms the basic right of Transjordan, their decision will not have the power of right as recognised by the people; in fact, their decision will be a part of the behaviour of the Mandate authority and on their own responsibility.

Article [7], rejected unequivocally British control of Transjordanian financial matters, which were controlled very strictly by the Anglo-Transjordanian agreement. It stated that "Transjordan rejects the liability of expenditure on any foreign occupation force and considers any money imposed upon it for that purpose, usurped money from its poor workers and miserable farmers".

Article [10] in the National Charter considered any foreign loan to Transjordan occurring before the formation of the Representative Assembly to be void, stating that, "Transjordan does not recognise any loan which occurred before the formation of the Representative Assembly".

The National Congress elected a committee from its members to meet the Amir and present to him the National Charter and their demands. In fact all these members were very loyal to the Amir, and most of them were tribal shaikhs or close friends of the Amir. The Amir in turn submitted the National Charter to the British Resident as promised to the National Congress committee, but the National Congress's demands were ignored by the Resident.<sup>(37)</sup>

Opposition to the Anglo-Transjordanian agreement and the 1928 Organic Law was widespread among Nationalists, who eventually realised that presenting petitions to the Amir, the Chief Minister, and the British Resident was futile.<sup>(38)</sup>

The National Congress, which initially had the support of the Amir, met five times between 1928 and 1933. In addition to the rejection of the Anglo-Transjordanian Agreement, the first National Congress objected to some Articles and Provisions in the Organic Law.<sup>(39)</sup> Article [19], provision [3] stated that "the Amir issues orders to the Legislative Council for the holding of elections convenes the Council, opens it, adjourns it, prorogues and dissolves it in accordance with the provisions of the law" and Article [21] stating "there shall be, for the purposes of advising the Amir, an Executive Council consisting of the chief minister and other members not exceeding five in number, who shall be appointed by the Amir" were both rejected. The second Congress met on March 11, 1929 to urge the Transjordanian people to boycott the forthcoming election of the Legislative Council. The third Congress was convened on May 25, 1930 in Irbid, the fourth on March 15, 1932, and the fifth on June 5, 1933.<sup>(40)</sup> In all these conferences, the Nationalists made similar demands and petitions, but were all ignored.

### **2.1.3. The Legislative Councils, 1929-1947**

The elections for the Legislative Councils were carried out in accordance with the Electoral Law of 1928. The election system adopted was that of the old Ottoman law,

with primary and secondary elections. Every male, non-Bedouin Transjordanian over 18 years of age was entitled to vote in the primary election. Those who were elected in the primary elections then became the electors entrusted with the final election of members of the legislature. Article [6] of the Legislative Council Electoral Law of 1928 stated that:

The election of members shall be conducted by primary and secondary elections. Primary election shall consist of the election of the voters, as hereinafter defined, as secondary electors; and secondary election shall consist of the election of members by secondary electors.<sup>(41)</sup>

Article [7], of the Electoral Law described eligibility to vote as follows: "Every male Transjordanian, not being a Bedouin, who has completed the eighteenth year of his age, shall be entitled to vote at the primary election".

Article [8] added a further element:

For the purpose of primary elections every electoral district shall be divided into voting areas and the voters within such areas shall be entitled to elect a number of secondary electors to be determined on the basis that every 200 primary electors shall elect one secondary electors; provided that if any village, quarter, or locality has between 150 and 200 primary electors it shall be entitled to vote for one secondary elector; if it has between 350 and 400 primary electors it shall be entitled to vote for two secondary electors, and the same principle will be maintained where the number of primary electors exceeds 400.

The Bedouins were represented by two members, one from the Bedouins of the north and the other from those of the south. They were elected by two commissions appointed by the Amir, each composed of ten shaikhs, and electing one member.

Article [16] in the Electoral Law described the process as follows:

Two members shall be elected to represent the Bedouins of the Amara. His Highness the Amir shall by proclamation published in the official Gazette appoint from the Bedouins of the North and the

Bedouins of the South respectively two commissions each composed of ten shaikhs. Each commission shall elect one member.

The Election Law allowed for the establishment of the Legislative Council which was to be composed of not just the elected representatives, but also the members of the Executive Council. Thus, the law merged the legislative and executive authorities into one, with the chairman of the Executive Council to preside in addition over the Legislative Council. This resulted in opposition to the Electoral Law spreading among Arab nationalist elements of the population, who declared that the law was not consistent with the principles of representative government. The opposition rejected the division of the country into electoral districts, the system of minority representation and the system of indirect balloting.<sup>(42)</sup>

#### **2.1.3.1. The First Legislative Council, 1929-1931**

The first Legislative Council was elected on April 2, 1929.<sup>(43)</sup> It was quite effective in voicing its opinions and in acting as an opposition to the executive branch.<sup>(44)</sup> The first important act of the first Legislative Council was to approve the agreement of February 20, 1928 with Great Britain. After many delays and under pressure, it was finally approved on June 4, 1929.<sup>(45)</sup>

The end of the first Legislative Council came when it refused to pass the annual budget law, in which the government requested financing for the Desert Patrol. On March 9, 1931, the Council was dissolved by the Amir. He explained that this was due to the lack of co-operation between the Executive Council and the Legislative Council.<sup>(46)</sup>

#### **2.1.3.2. The Second Legislative Council, 1931-1934**

The second Legislative Council was elected on June 10, 1931.<sup>(47)</sup> However, no members who had previously voted against the Anglo-Transjordanian treaty were



elected. The Speaker of this Council was Shaikh Abdullah Siraj, the Chief Minister. Only four of the sixteen representatives who had been members of the first Council were re-elected; three of them were tribal shaikhs and the fourth, Sa'id al-Mufti, was a leader of the Circassian community.<sup>(48)</sup> On November 1st, 1933, the second Legislative Council refused to elect members of the Executive Council (appointed members) to the legal, financial and administrative committee of the Legislative Council, thereby heightening the conflict between the two authorities.<sup>(49)</sup> The members of the Legislative Council had been demanding that the executive and legislative authorities should be separated. This led to friction between the legislature and the chief minister, and members of Legislative Council boycotted meetings for two weeks. The Amir then dismissed Abdullah Siraj, the Chairman of the Executive Council and its members on November 17, and appointed Ibrahim Pasha Hashim as Chief Minister.<sup>(50)</sup>

The most important issue presented by the Government to the second Legislative Council was a law prohibiting the sale of land to foreigners. This law was enacted at the request of the Legislative Council members. The second Legislative Council completed its constitutional term and was dissolved on June 10, 1934.<sup>(51)</sup>

### **2.1.3.3. The Third Legislative Council, 1934-1937**

The elections for the third Council were held on October 16, 1934. This Council was headed by the Chief Minister, Ibrahim Pasha Hashim. The election of this Council was managed by the government and led to the successes of pro-government elements.<sup>(52)</sup> The Council approved the "Defence Law" of 1935 which remained in effect until it was replaced by the new defence law of 1992. During the period of the third Council, the Executive Council with the support of the Amir, demanded the modification of the 1928 agreement, national control of the budget, diplomatic representation abroad, and locally recruited armed forces. The British government responded positively to these

demands two years later during the 1939 Palestine Conference.<sup>(53)</sup> The Council completed its constitutional term when it was dissolved on October 16, 1937.

#### **2.1.3.4. The Fourth Legislative Council, 1937-1942**

The fourth Council was elected on October 16, 1937.<sup>(54)</sup> During the term of the fourth Council, the Palestine Conference was convened in London in June, 1939 as part of Britain's policy of winning over Arab public opinion and retrieving her military position in the region in the face of the impending war in Europe. Amir Abdullah and Hassan Khalid Abu al-Huda the Chief Minister of Transjordan, represented Transjordan at the Conference. Abu al-Huda and the Colonial Secretary, Malcolm Macdonald, carried out separate negotiations during the sessions towards a revision in the Anglo-Transjordanian Treaty.<sup>(55)</sup> This was announced by Mr. Macdonald as follows:

1. The formation, in place of the present Executive Council in Transjordan, of a Council of Ministers or a Cabinet, each member of which will be in charge of a Department and will be responsible to the Amir.
2. The deletion from Article 10 of the Agreement between His Britannic Majesty and the Amir of Transjordan dated the 20th February 1928, of the paragraph in which the Amir undertakes not to raise or maintain in Transjordan, or to allow to be raised or maintained, any military forces without the consent of His Britannic Majesty.
3. The relaxation of the close control hitherto exercised by His Majesty's Government over details of finance and administration, and the introduction of a scheme which will obviate the necessity of referring minor financial matters to the Secretary of State. The object of this relaxation will be to increase the authority and responsibility of the Government of Transjordan and its officials.
4. The appointment by the Amir of Transjordan of Consuls in certain neighbouring Arab States, on the understanding that these representatives will confine themselves to consular duties.
5. The replacement, as and when possible, of seconded Palestinian officials by Transjordanians.<sup>(56)</sup>

During the fourth Council, the Transjordan government decided to enter the Second World War on the British side. The Council also introduced some amendments to the Organic Law of 1928, which included the replacement of the Executive Council by a new Council of Ministers. The fourth Council completed its constitutional term in October 1940, but this was extended for two more years due to the Second World War.<sup>(57)</sup>

#### **2.1.3.5. The Fifth Legislative Council; 1942-1947**

The fifth Legislative Council was elected on October 20, 1942, for a three year term, and was extended for a further two years until October 10, 1947. The election results were managed by the government.<sup>(58)</sup> During the fifth Council, Britain and Transjordan signed a new treaty on March 22, 1946, which declared Transjordan an independent state.<sup>(59)</sup> As a result, Amir Abdullah called the Legislative Council to meet on May 22, 1946 to amend the Organic Law. The amendment changed the title of the Amir to King, and the name of the state of Transjordan to the Hashemite Kingdom of Transjordan.

#### **2.1.4. Institutional Structure**

##### **2.1.4.1. The Ministerial Establishment**

Amir Abdullah's arrival in Transjordan marked the end of the local administrations that were vainly attempting to bring law and order to the three districts of Irbid, al-Salt, and Karak. He organised his first government in Amman on April 11, 1921 after receiving the six month option from Winston Churchill to assume rule over the parts of the British Palestine mandate east of the Jordan River.<sup>(60)</sup>

It is confusing to follow the developments which took place in the emergence of the Jordanian executive authority, insofar as there were many different names used to describe this body. The first body was established on April 11, 1921, and was called the Council of Consultants (*majlis al-mashawirin*). The Amir had to rely mainly on non-Transjordanian figures to fill the posts in the new administration. The first Council included only one Transjordanian, Ali Khalgi al-Sharayri, from Ajloun in the Irbid district. The other seven members were from Syria, Hijaz, and Palestine. Three were Arab nationalists of the Istiqlal Party, and most of them had served in different parts of Syria under Faisal's governments. The Council of Consultants was initially headed by Rashid Talai', a Druze from the Shuf region of Lebanon who had served Faisal Ibn al-Hussein while he was ruler of Syria as *mutasarraf* and military governor of Hama, acting minister of the interior, and finally military governor of Aleppo. At the time of his appointment in Transjordan he was under sentence of death by the French in Syria. In fact the first Council looked like a government in exile. On April 27, 1921, its name was changed to "The Central Authority" (*al-hay'a al-markaziyya*). On August 5, 1921, the Central Authority of Rashid Talai' was replaced by an Advisory Council headed by Mazhir Raslan.<sup>(61)</sup>

Between April 11, 1921, and May 25, 1923, the Transjordanian government exercised the powers and authorities vested in it by the Amir, applying Ottoman Law and regulations. On May 29, 1923, after Transjordan obtained its recognition from Britain, the name of the Advisory Council was changed to the Council of Administrative Heads (*majlis al-wukala*) headed by an Administrative Secretary (*al-katib al-idari*).<sup>(62)</sup> On June 26, 1926, Hassan Khalid Abu al-Huda formed a new government called the Executive Council (*al-majlis al-tanfidi*). The Executive Council consisted of six official members (the Chief Minister, the Minister of Justice, the Chief Secretary, the Treasurer, the Director of Health, and the Director of Education).<sup>(63)</sup> This system continued through different appointed executive councils for thirteen years. Between

1921 and 1939, the variously named Transjordan Councils acted as an advisory body to the Amir.

In 1939, when the modification of the Anglo-Transjordanian agreement took place in London, revisions of the Transjordanian constitution were agreed upon. Among these was the conversion of the Executive Council into a Council of Ministers (*majlis al-wazara*) directly responsible to the Amir. The constitutional revision was completed on August 5, 1939. Accordingly, Article [20] of the 1928 Organic Law was amended to change the name of the Executive Council to the Council of Ministers. On August 6, 1939, Abu al-Huda formed the new Council of Ministers which consisted of five ministers, the same number as stipulated under the 1928 Organic Law.<sup>(64)</sup>

The number of ministers was not changed in the 1947 Constitution. Article [27] provision [A] of the 1947 Constitution stated that "The Council of Ministers shall consist of the Prime Minister as chief and other Ministers whose number shall not exceed five". However, on May 8, 1947, a Ministry of Supply was established to increase the number of ministers to six. In addition, on May 2, 1949 the number of the Council of Ministers was increased by three ministers from the West Bank following the unity between the East and West Banks. The 1952 Constitution did not stipulate the number of ministers but stated that the numbers would be governed by the needs of the public interest. Article [42] states this as follows: "The Council of Ministers shall consist of the Prime Minister, who shall be the President, and of such number of Ministers as may be needed and as public interest may require".

#### **2.1.4.2. The Position of the Monarchy**

When Amir Abdullah arrived in Transjordan, he had no supporters in the area. He regarded Transjordan as part of Greater Syria. There was only limited public order and

security in Transjordan, and the area was under the direct supervision of the British authority as part of the mandate of Palestine.<sup>(65)</sup>

The political life in Transjordan during the early period was dominated by two distinct groups, the traditional leaders and the nationalists. The traditional leaders were mostly shaikhs of nomadic and semi-sedentary tribes, or community leaders whose positions of leadership were based on a combination of inherited family prestige and personal merit and wealth. They were from the Transjordan area, few had been formally educated and none had belonged to any nationalist organisations before 1920.

The nationalists on the other hand, were from the towns of Syria, Palestine, and the north-west corner of Transjordan. They were educated, generally in secular institutions, and most were professionals (lawyers, military officers or bureaucrats). The nationalists were ideologically motivated, and most had been politically active with Faisal in Damascus. Amir Abdullah was considered an Arab nationalist when he arrived in Transjordan in 1921,<sup>(66)</sup> although he attempted to maintain a balance between the nationalists and the traditionalists, so as to gain and maintain power. The Amir explained that he came to Transjordan in response to a plea from the Arab nationalist movement in Syria. He declared that his objective was to expel the French from Syria and restore Faisal's throne. In order to win the nationalists' support, in April 1921, Abdullah offered them high posts in the Council of Consultants.<sup>(67)</sup>

When Abdullah established his first government in Transjordan, he took a number of practical measures to consolidate his regime. Among these were centralising political power in his hands; mobilising the population, especially the tribes, to accept the existence of the new Emirate; and building the Arab Legion to strengthen his rule. However, he faced many difficulties, including a tribal revolt. Some tribal shaikhs resisted the new government believing it would limit their control and prestige.<sup>(68)</sup> The first tribal opposition came from Koura in Ajloun district, where Shaikh Kulaib al-

Shraidah had established his own tribal government, refusing to submit to the authority of the Irbid governor, to pay taxes, and to obey the Amir's government. On May 14, 1921, the Amir ordered a force consisting of 125 men to end the rebellion in Koura. The Shaikh's army surrounded the Amir's small force; eighteen men were killed and the rest of the Amir force surrendered, losing their horses and weapons. The following year, the Amir sent new forces northwards which captured the Koura villages and ended the revolt.<sup>(69)</sup>

Challenges to Abdullah's authority also came from outside the country. In August 1922, Transjordan was invaded by Wahhabi expeditionary units from Nijad, but the raid was resisted by Transjordanian tribes with the help of British planes and armoured cars. In 1924, a second Wahhabi expeditionary unit attacked Transjordan, reaching the outskirts of Amman, but it too was defeated.<sup>(70)</sup>

Furthermore, on August 20, 1923, Shaikh Sultan Pasha al-Adwan, the leader of al-Adwan tribes in al-Salt district, presented his grievances and demands to the Amir's government. In fact, the al-Adwan tribes were more heavily taxed than the other tribes in Transjordan, and most were excluded from the civil service. Shaikh Sultan al-Adwan submitted to Amir Abdullah a programme of reform that included relieving the country from heavy taxation, ending Transjordanian exclusion from the civil service, and allowing the al-Adwan to participate in the political process. Abdullah invited Shaikh Sultan to visit Amman. In response to the Amir's invitation, the Shaikh entered the capital with a thousand mounted followers who seemed more ready for battle than conference. They presented their demands to the Amir, who promised to pay a visit to the al-Adwan in their camps. The Amir and the nationalists disliked the manner of entry of the al-Adwan into the capital. Shortly after this the Advisory Council of Raslan resigned, and was succeeded by a Council led by Hassan Khalid Abu al-Huda. He introduced indigenous elements into his Council in an attempt to placate Shaikh Sultan, and with the blessing of the Amir, cancelled the al-Adwan visit. However, the

cancellation resulted in the al-Adwan marching on the capital again in September 1923 in an effort to end Amir Abdullah's regime, but they were defeated by British planes and armoured cars who came to the rescue of the government forces.<sup>(71)</sup>

In addition to the formal representative body, Abdullah held informal consultations with tribal leaders and notables during his reign (1921-1951). The Amir opened his palace every Friday for the notables of the country to discuss any matter with him.<sup>(72)</sup> George L. Harris indicates that Amir Abdullah's role was largely that of a super-chief, given a modern quality by the trappings of a constitutional monarchy.<sup>(73)</sup>

In the early years, from 1921 to 1928, Amir Abdullah was under constant external pressure from Britain in terms of control and administration of Transjordan, and by the Wahhabi invasion. Internally, a number of tribal revolts had to be overcome. From 1928, the Amir's position gradually became stronger both domestically and externally.

#### **2.1.5. The Emergence of Political Groupings; 1927-1947**

The emergence of political parties between 1927 and 1947 was the start of the process shaping political consciousness in Transjordan. As early as 1927, political parties were permitted by Amir Abdullah to organise and operate under licence. The leaders of the parties represented communal interests of notables, tribal chiefs and landowners.<sup>(74)</sup>

The first officially licensed political party in Transjordan was founded in March 1927 under the name "The Jordanian People's Party" (*hizb al-sha'ab al-urduni*), and was headed by Hashim Khair.<sup>(75)</sup>

The party's constitution called for the country's independence by legitimate means; an improvement in economic and agricultural conditions; the maintenance of personal freedom, equality and brotherhood among the people; the establishment of a



representative institution and an accountable government; and the protection of the freedom of religion.<sup>(76)</sup> The Jordanian People's Party participated in the National Congress and boycotted the election of 1929 for the first Legislative Council. In 1930, the party ceased to exist because most of its members had resigned.

The Executive Committee of the National Congress Party (*hizb al-lajnat al-tanfidiyyah lil mu'tamar al-watani*), was founded on April 10, 1929, and was headed by Hussein al-Tarawnah. The internal rules of the party outlined its objectives as follows: "To establish the independence of the country and to conclude the British mandate over the Transjordanian territory." The party urged the people to boycott the elections of the first Legislative Council, and led the opposition in Transjordan until it disintegrated in 1934.<sup>(77)</sup>

The Liberal Moderate Party (*hizb al-hurr al-mu'tadil*), was established on June 24, 1930, under the leadership of Rufayfan al-Majali. It explained its aims as "The modification of the 1928 agreement with Great Britain, the realisation of national sovereignty, and protection of personal freedom and ensuring the rights of the people". Most of its members represented community interests, and were opposed to the Executive Committee of the National Congress. The party ceased to exist in 1933 as most of its members had resigned and joined the opposition.<sup>(78)</sup>

The Jordanian Solidarity Party (*hizb al-tadamun al-urduni*), was established on March 24, 1933. It consisted of landowners and tribal chiefs, and explained its principles and objectives as "The protection of the status of Transjordan by ensuring their rights and creating mutual co-operation between them". Article 36 of the constitution refused membership of the party to anyone who had not settled in Transjordan before 1922.<sup>(79)</sup>

The Jordanian Brethren Party (*hizb al ikha' al-urduni*), was founded on September 25, 1937. Its members consisted of tribal chiefs and landowners, and membership was open

to any Transjordanian interested in politics. The party's constitution called for the full independence of the country, to serve the Transjordanian people and to achieve Arab Unity. The party supported government policy.<sup>(80)</sup>

In general, political parties in this period were short lived and pro-government, save the Executive Committee of the National Congress Party, whose aim was to establish a truly representative body. Consequently, political parties in Jordan before 1950 were of little significance in political life. None of these political parties were familiar to the general public, had no coherent programmes or platforms, and failed to develop as organisations. They largely represented the interests of the small propertied class and sought to achieve their moderate goals through negotiations with the Mandatory authorities and Amir Abdullah. Nevertheless, the existence of political parties was a significant facilitating factor in the introduction of democracy in modern Jordan.

## **2.2. Part Two: First Constitutional Period; 1947-1967**

### **2.2.1. The Emergence of Jordan**

On March 22, 1946, a new Anglo-Transjordanian treaty was signed, in which Britain recognised Transjordan as an independent state; ended the Mandatory system; agreed to exchange diplomatic representatives; pledged subsidies to the Arab Legion; and undertook to defend the Emirate against external aggression. In turn, Britain secured the right to maintain troops in Transjordan. The treaty enabled the Amir to assume the title of King of the Hashemite Kingdom of Transjordan.<sup>(81)</sup>

Following the Anglo-Transjordanian Treaty, the Transjordan government changed the name of Transjordan to the "Hashemite Kingdom of Transjordan". Three years later, after the establishment of unity between the East and West Banks of the Jordan River on April 26, 1949, King Abdullah adopted a new name for the country, the "Hashemite

Kingdom of Jordan". In 1950 Britain recognised the new form of the state and extended its obligation to defend the Kingdom's new frontiers.<sup>(82)</sup> The incorporation of the West Bank in 1948-1949 after the Arab-Israeli war helped to compensate for the influence the Hashemites had lost when driven out of the Hijaz by Ibn Saud in 1925, and from Damascus by the French in 1920. Abdullah apparently believed that the emergence of a separate Palestinian entity could threaten his regime if the territory was not controlled by the Hashemites.<sup>(83)</sup>

## **2.2.2. The Constitutional Basis**

### **2.2.2.1. The 1947 Constitution**

The Constitution of 1947 was promulgated on February 1st, 1947, and replaced the 1928 Organic Law,<sup>(84)</sup> to which it was very similar as it introduced little change into the formal relationships between the government agencies. The monarch remained powerful while the legislature continued to have limited power in the legislative process and had no control over the executive, which was responsible to the King alone. The Constitution became effective one month after its promulgation.<sup>(85)</sup> The 1947 Constitution described the country as an independent, sovereign and free state, and stated that its form of government should be a hereditary monarchy. No mention was made of the national identity of the state or the sources of power.

The 1947 Constitution was composed of eight parts with seventy-nine Articles. The significant parts for the purpose of this study relate to the rights of the people, the role of the King, his rights, and the role of the Legislature.

The part relating to the rights of the people covered personal freedom and equality among the Jordanian people. Article [6] stated that: "There shall be no difference in rights and duties before the law among Transjordanians although they may differ in

race, religion, and language". The Constitution ensured that personal freedom would be safeguarded [Article, 7], and every person would be free to express their opinion verbally and in writing within the limits of the law [Article, 17]. Article [18] stated: "All Transjordanians shall have the right to assemble together, and to form associations within the provisions of the law".

The King's position was stated in article [26] of the Constitution, as follows:

- a. The King is the Commander in chief of the Navy, Army, and Air Force.
- b. The King declares war, and concludes treaties with the agreement of the Council of Ministers.
- c. The King issues orders for the holding of elections to the Council of Representatives, summon the National Assembly, opens it, adjourns it, prorogues it, and dissolves it in accordance with the provision of the law.

The Executive Authority which consisted of the Prime Minister and his Ministers, was to conduct all affairs of state, both internal and external. All of the ministers were to serve at the pleasure of the King. Article [27] stated:

- a. There shall be constituted a Council of Ministers consisting of the Prime Minister, who shall be president, and numbers of Ministers not exceeding five in number.
- b. The King appoints the Prime Minister and may assign to him the charge of one or more departments. Ministers are appointed on the recommendation of the Prime Minister, and may by the orders of their appointment be entrusted with the charge of one or more departments.
- c. The respective duties of the Prime Minister, of the Ministers and of the Council of Minister shall be fixed by regulations made by the said Council and approved by the King.  
The said Council is entrusted with the conduct of all affairs of the State whether internal or external other than those which have been entrusted by this law or by any law or regulation enacted there-under to any other person or body.
- d. A Minister is responsible for the conduct of all matters affecting his Ministry. He shall refer to the Prime Minister any matter not within his powers. The Prime Minister shall dispose of all matters within his powers and shall refer the other matters to the Council of Ministers.
- e. Decisions of the Council of Ministers shall be signed by the members of the said Council and shall be submitted to the King for approval where

this law or any law or regulation enacted there-under so required. Such decisions are executed by the Prime Minister and each Minister within the limits of his jurisdiction.

The Executive Authority was collectively responsible to the King for matters of general policy of the state, and each Minister was responsible to the King for his department. The King could dismiss the Prime Minister or accept his resignation from office. Similarly, he could dismiss Ministers or accept their resignation on the recommendation of the Prime Minister. In the event of the resignation of the Prime Minister or his dismissal from office, all Ministers were considered to have resigned or to have been dismissed. Article [28] explained this as follows:

- a. The Prime Minister together with the Ministers are collectively responsible to the King for matters of general policy of the State. In addition each Minister is responsible to the King for his department or departments.
- b. The King dismisses the Prime Minister or accepts his resignation from office
- c. The King on the recommendation of the Prime Minister dismisses Ministers or accepts their resignation from office.
- d. In the event of the dismissal or the resignation of the Prime Minister all Ministers are automatically considered to have been dismissed or to have resigned.

Part three of the 1947 Constitution dealt with the Legislature's powers, which were vested in the King and the National Assembly. Article [33] described this as:

The Legislature power is vested in the National Assembly and the King. The National Assembly consists of the Council of Notables and Representative, and the Council of Representative consists of Representatives elected in accordance with the Electoral Law, which shall have regard to the proper representation of Minorities. The duration of the Council of Representative shall be four years.

According to the provisions of the law, the Chamber of Deputies was to hold one ordinary session during each year of its duration [Article, 39]. The Chamber of Deputies could adjourn its sessions from time to time conforming with its standing

orders. The King could by decree, adjourn the sessions of the Chamber of Deputies only three times [Article, 40].

Article [41] described the steps to be taken if the Chamber of Deputies was dissolved, stating that:

If the Council of Representatives is dissolved, a general election shall take place, and the new Council shall assemble in an extraordinary session not more than four months after the date of dissolution and such a session shall be deemed to be an extraordinary session. The conditions covering the prolongation and adjournment thereof shall be as prescribed for ordinary session in Article 40 of this law. In any event this session shall be prorogued on the 31st of October, so that the first ordinary session of the Council may assemble at the beginning of November. If such extraordinary session shall assemble in months of November and December, it shall be regarded as the first ordinary session of the said Council of Representative.

The King may summon the Council to meet in extraordinary session outside the period of its ordinary session for the purpose of deciding specified matters, which shall be stated when the summons is issued. This session shall be dissolved by Irade. The said Council shall only discuss in its extraordinary session the specified matters stated in the Irade of summons.

Article [43], dealt with the presidency of the Chamber of Deputies and stated that, "The King shall appoint a president for the Chamber of Deputies for a period of one year and he may re-appoint him".

The Constitution could not be changed or amended unless this was approved by more than two-thirds of the members of the Chamber. Article [47] covered this as: "No change shall be made to the constitution except when passed by a majority of not less than two-thirds of the members of the Council".

Article [48], clause [I], explained the power and functions of the Council of Representatives to consider every proposal of law, but not the right of approval, that was vested in the two houses of the National Assembly and the King. It stated:

Every proposal for a law shall be laid before the Council of Representatives by the Prime Minister. If the Council accepts what has been laid before it, it shall refer same to the Council of Notables. Proposals shall not be considered laws unless approved by the two Councils and sanctioned by the King.

The 1947 Constitution provided for a bicameral parliamentary structure. The parliament (*majlis al-ummah*) was to consist of an Upper and Lower House. The Lower House was to be called the Chamber of Deputies (*majlis al-nuwwab*). The Upper House, called the Council of Notables (*majlis al-a'yan*), consisted of ten notables who were appointed by the King for a term of eight years.

While the 1947 Constitution can be seen as a step in the direction of representative government in Jordan, a number of weaknesses prohibited the flowering of a fully democratic state. These weaknesses included the government being responsible to the King rather than to parliament; no separation between the executive and legislative powers; and the authority vested in the King. These points were, to a degree, addressed by the 1952 Constitution.

#### **2.2.2.2. The 1952 Constitution**

The most important event during the short reign of King Talal, who acceded to the throne on September 6, 1951, was the granting of a new constitution. This was promised by King Abdullah in his speech to the nation on March 18, 1950. He stated that a constitutional amendment would take place to make the government responsible to parliament.<sup>(86)</sup> On January 1, 1952 a new constitution was promulgated to replace the 1947 Constitution<sup>(87)</sup>, and to effect important changes in the structure of government. The new constitution was based upon the principle of executive responsibility to parliament, and increased parliamentary authority. The cabinet became responsible to the legislature instead of to the monarch as had been the case in previous constitutions.

However, the King could still appoint and dismiss the Prime Minister, appoint members of the Council of Notables and dissolve the Council of Representatives.

The Constitution of 1952 consisted of nine Chapters with 131 Articles. The Chapters of greatest significance were entitled:[see appendix 1]

- Chapter One: The State and the System of Government.
- Chapter Two: The Rights and Duties of Jordanian People.
- Chapter Three: The Powers of the State.
- Chapter Four: The Executive Power.
- Chapter Five: The Legislative Power; The National Assembly.

Chapter one relates to the state and system of government. Article [1] states that the Hashemite Kingdom of Jordan is an independent sovereign Arab state, that the people of Jordan form a part of the Arab Nation, and that the system of government is parliamentary with a hereditary monarchy. The national identity of the country is then clearly stated in the constitution, which was not the case in the previous two constitutions. The 1947 constitution declared this in Article [2] as: "The Hashemite Kingdom of Transjordan is an independent sovereign state whose religion is Islam", without stating the Jordanian national identity.

Chapter two relates to the rights and duties of the Jordanian people and is described in Article [6] as follows:

- i. Jordanians shall be equal before the law. There shall be no discrimination between them as regards their rights and duties on grounds of race, language or religion.
- ii. The Government shall ensure work and education within the limits of its possibilities, and it shall ensure a state of tranquillity and equal opportunities to all Jordanians.



Jordanian people have the right to hold meetings and to form societies and political parties. Under the 1947 constitution, Article [18] stated that: "Transjordanian have the right to assemble and to form societies within the limits of the law", this was improved by Article [16] of the new constitution as follows:

1. Jordanians shall have the right to hold meetings within the limits of law.
2. Jordanians are entitled to establish societies and political parties provided that the objects of such societies and parties are lawful, their methods peaceful, and their bye-laws not contrary to the provisions of the Constitution.
3. The establishment of societies and political parties and the control of their resources shall be regulated by law.

Chapter three in the Constitution deals with the powers of the state. It states that the nation is the source of all powers [Article, 24]. Previously all authority had been vested with the King, Article [22a] of the 1947 constitution stated that: "With due regard for the provisions of this law, executive power shall be vested in King Abdullah Ibn al-Hussein and his male heirs after him". The Legislative power shall be vested in the National Assembly and the King, and the Executive power shall be vested in the King, who shall exercise his powers through his Council of Ministers [Articles, 25 & 26].

Chapter four of the Constitution, which is divided into two sections, deals with the power of the executive authority. Part one relates to the King and his rights, and part two deals with the Council of Ministers. The throne of the Hashemite Kingdom is hereditary through the dynasty of King Abdullah Bin al-Hussein in direct line through his male heirs [Article, 28]. The King issues orders for the holding of elections to the Chamber of Deputies, has the right to dissolve the Chamber of Deputies, to call the National Assembly to assemble, and may dissolve the Council of Notables or relieve any members from it [Article, 34]. Furthermore, the King retains the authority to appoint and dismiss the Prime Minister or accept his resignation from office. Ministers are appointed and dismissed by the King upon the recommendation of the Prime Minister

[Article, 35]. He also has the power to appoint the members of the Council of Notables and can accept their resignation from office [Article, 36].

Section two in part four deals with the Council of Ministers. In the 1947 constitution this part was included in part [2], the King and his rights. The Council of Ministers consists of the Prime Minister, who shall be the chairman and a number of Ministers, to be determined according to interest and general need [Article, 41]. The responsibility of the Cabinet before the Chamber of Deputies regarding the public policy of the state, is defined in Article [51], stating the following:

The Prime Minister and Ministers shall be collectively responsible before the Chamber of Deputies in respect of the public policy of the state. In addition, each Minister shall be responsible before the Chamber of Deputies in respect of the affairs of his Ministry.

This was an important improvement from Article [28a] of the previous constitution which stated "The Prime Minister and the Ministers are jointly responsible to the King for the general policy of the state; likewise, each Minister is responsible to the King for his office or offices".

Several new articles were established in the new constitution, and included Articles [53], [54] and [56]. The Cabinet or a Minister could be dismissed from office by a vote of no confidence by absolute majority against the Cabinet or a minister. Article [53] stipulates the following:

1. A motion of no confidence in the Council of Ministers or in any Minister may be raised by the Chamber of Deputies.
2. If the Chamber of Deputies casts a vote of no confidence in the Council of Ministers by an absolute majority of all its members, the Council of Ministers shall resign.
3. If the vote of no confidence concerned an individual Minister, he shall resign his office.

Every newly formed Council of Ministers shall, within 30 days of its formation, present before the Chamber of Deputies a statement of its programme and ask for a vote of confidence [Article, 54]. The Chamber of Deputies has the right to impeach Ministers, Article [56] explains this as:

The Chamber of Deputies is entitled to impeach Minister, but a bill of impeachment shall not be passed except by a majority of two-thirds of the members of the Chamber. The Chamber of Deputies shall appoint, from among its members, deputies who shall present the impeachment to, and proceed before, the High Tribunal.

Part five of the Constitution deals with the Legislative power and the National Assembly. The National Assembly consists of two Houses, the Senate and the Chamber of Deputies [Article 62]. The Senate, including its speaker, should not exceed one-half of the number of the Chamber of Deputies [Article, 63]. The duration of membership of the Senators in office shall be four years, except for the speaker of the Senate which shall be two years, but he may be re-appointed [Article, 65]. The Chamber of Deputies' members shall be elected by secret ballot in a general direct election and according to the provisions of the Electoral Law. Article [67] explains this as:

The Chamber of Deputies shall consist of members elected by secret ballot in a general direct election and in accordance with the provisions of an Electoral Law which shall ensure the following principles:

1. The integrity of the election.
2. The right of candidates to supervise the process of the election.
3. The punishment of any person who may adversely influence the will of voters.

The period of membership in the Chamber of Deputies shall be four calendar years [Article, 68]. The speaker of the Chamber of Deputies shall be elected for one calendar year, but he may be re-elected [Article, 69]. Previously the appointment was by the King [Article 43]. The Chamber of Deputies has the right to determine the validity of the election of its members. Article [71] explains the power and functions of the parliament which had not been addressed by the 1947 constitution, as follows:

The Chamber of Deputies shall have the right to determine the validity of the election of its members. Any Voter shall have the right to present a petition to the secretariat of the Chamber within 15 days of the announcement of the results of the election in his constituency setting out the legal grounds for invalidating the election of any deputy. No election may be considered invalid unless it has been declared as such by a majority of the two-thirds of the members of the Chamber.

The 1952 Constitution like previous ones, was flexible, and could be amended with the agreement of two-thirds of the members of the Chamber of Deputies. Improvements since the 1947 Constitution included separation of the executive and legislative, improved individual rights, the establishment of political parties and legalisation of organisations. The 1952 Constitution liberalised the political system in Jordan and has remained the fundamental law of the Hashemite Kingdom of Jordan.

### **2.2.3. The Conduct of Parliamentary Election**

The declaration of Jordan's independence marked the culmination of King Abdullah's reign since it fulfilled the objectives of building the modern institutional state which considered parliamentary life as an essential element. The Jordanian Constitution of 1947 can be considered the first formal step in the direction of establishing representative parliamentary life in Jordan. According to the Chamber of Deputies' Electoral Law issued on April 5, 1947 <sup>(88)</sup>, the Kingdom of Transjordan was divided into nine electoral areas, and the elections of the twenty members for the Chamber of Deputies were divided as follows:

1. The Qada of Amman including the Qasabat of Jerash and Madaba shall secure four Muslim members, two of whom shall be Circassians, and one Christian member.
2. The Qada of al-Salt shall receive one Muslim member and one Christian member.
3. The Qada of Madaba excluding the Qasabat of Madaba shall return one Muslim member.
4. The Qada of Irbid including the Qasabat of Ajloun shall return two Muslim members and one Christian member.

5. The Qada of Ajloun excluding the Qasabat of Ajloun shall return one Muslim member.
6. The Qada of Jerash excluding the Qasabat of Jerash shall return one Muslim member.
7. The Qada of Karak shall secure two Muslim members and one Christian member.
8. The Qada of Tafileh shall return one Muslim member.
9. The Liwa of Ma'an shall return one Muslim member.[Article,18]

According to part two of the Electoral Law, which closely copied Article [16] of the 1928 Electoral Law, the Bedouins were to be represented by two members, one from the Bedouins of the North and the other from the Bedouins of the South. The Bedouin Representatives were to be elected by a committee appointed by the King, consisting of two commissions each composed of ten shaikhs, and each commission electing one member. Article [31] of the Electoral Law described the election process as follows:

His Majesty the King shall by proclamation published in the official Gazette appoint from the Bedouins of the North, and the Bedouins of the South respectively two commissions each composed of ten Sheikhs, and each commission elect one member.

Moreover, when the Electoral Law was passed, the government went ahead with its plans to hold parliamentary elections according to the provisions of the constitution.

### **2.2.3.1. The First Chamber of Deputies, 1947-1950**

The first Chamber of Deputies was elected on October 20, 1947, and only one party, the government-sponsored *al-Nahda* (Revival) party, participated (the only legal party during that time, established on May 7, 1947).<sup>(89)</sup> The first Chamber was similar to the previous legislative councils and was dominated by the same land-owners and tribal leaders. At that time Transjordan had 100,000 registered voters of whom sixty per cent actually cast their ballots.<sup>(90)</sup> The election campaign passed without any major disturbance, and was peaceful and uneventful.<sup>(91)</sup> Revival candidates won four seats, and the remaining sixteen were won by independent candidates. After the election of

the first Chamber of Deputies, a new Cabinet was formed under Prime Minister Tawfiq Pasha Abu al-Huda, who had been in and out of office since 1938.<sup>(92)</sup>

In December 1949, the first Chamber of Deputies was dissolved with effect from January 1st, 1950, to arrange for new parliamentary elections following the union between the East and West Banks.<sup>(93)</sup> An amendment to the Chamber of Deputies' Electoral Law was issued on December 13, 1949, increasing membership in the Chamber of Deputies to forty members, half of whom were to represent the East Bank and half the West Bank.<sup>(94)</sup>

#### **2.2.3.2. The Second Chamber of Deputies, 1950-1951**

The election for the second Chamber of Deputies was held on April 20, 1950. The election was relatively free and fair with five political parties participating, although they were not officially recognised. This parliament formalised the annexation of Palestine and legalised the integration of the West and East Banks. The first post-merger parliament was far from peaceful, and was so filled with critics of the regime as to make the government's position very embarrassing. The opposition, constituting the radical political parties (the National-Socialist, the Ba'thists, and the Communists), was successful in winning fourteen out of forty seats in the first post-merger parliament. The parliament was dissolved by the King on May 3, 1951 due to a lack of co-operation between the legislative and the executive powers. The dissolution of parliament occurred when the opposition objected to approving the draft General Budget of the state, passing a vote of non-confidence in the government. On July 20, 1951, King Abdullah was assassinated in Jerusalem on his way to the Mosque of 'Amar to perform the Friday prayers.<sup>(95)</sup>

#### **2.2.3.3. The Third Chamber of Deputies, 1951-1954**

The third Chamber of Deputies was elected on August 29, 1951. The election campaign was again relatively free and uneventful.<sup>(96)</sup> The results of the elections gave the government a slight majority, but the opposition won eighteen of the forty seats. The third parliament at once began to press for the fulfilment of King Abdullah's promise to have a revision of the constitution to make the government responsible to the parliament. The opposition's efforts were successful, and on January 1, 1952, a new Constitution was promulgated.<sup>(97)</sup> The third parliament was dissolved on June 22, 1954, due to its opposition to government policy and its non-co-operation with the executive power.<sup>(98)</sup>

#### **2.2.3.4. The Fourth Chamber of Deputies, 1954-1956**

The election of the fourth Chamber of Deputies was held on October 17, 1954. Abu Jaber indicated that the elections were violent, fraudulent, rigged and not truly representative of the people.<sup>(99)</sup> Satloff also indicated that the army was used in the elections to favour government candidates.<sup>(100)</sup> The government further tightened its control on the opposition and revived the defence regulations, thus giving the Minister of the Interior the authority to ban any open meetings deemed not to be in the public interest. The results of the fourth parliamentary election were favourable to the government. The National-Socialists, who had won eleven seats in the third parliament, were reduced to two deputies, one of whom resigned from the party and accepted a post in Abu al-Huda's Cabinet.

During the period of the fourth Chamber, Iraq and Turkey signed a mutual defence treaty on February 24, 1955 called the 'Baghdad Pact'.<sup>(101)</sup> Jordan was invited to join this pact, but opposition came from Communist and pro-Nasir elements and Syria. Since the opposition could not be voiced in parliament, it took to the streets in a series

of violent disturbances. Parliament was dissolved by the King on December 19, 1955 and new elections were officially called in order to decide on the Baghdad Pact.<sup>(102)</sup>

The dissolution of parliament was cancelled by a decision of the Supreme Council which declared the move unconstitutional, since the Minister of the Interior had not signed the dissolution order. Parliament thus remained in office until it was dissolved on June 26, 1956. During this time the position on the Baghdad Pact was resolved when the new Prime Minister Samir al-Rifa'i on January 8, 1956 declared that Jordan would not join the Pact.<sup>(103)</sup>

#### **2.2.3.5. The Fifth Chamber of Deputies, 1956-1961**

The elections of the fifth parliament were held on October 21, 1956. It was free from government interference, and at that time was the most democratic ever held in Jordan. The elections of 1956 were held on a party basis and proved to be a close contest between the government and the opposition. The election was a victory for the pan-Arab nationalist and anti-British elements, with twenty-six seats in the Chamber of Deputies being captured by seven political parties (see table 2.1). The remaining fourteen were won by independent candidates.<sup>(104)</sup> The National-Socialists secured eleven seats from a total of forty, the Communists won three seats and the Ba'thists two seats. The government-sponsored party, the Arab Constitutional party won only four seats, while they captured 17 seats in the fourth Chamber of Deputies. The leader of the National-Socialist party, Sulaiman al-Nabulsi, who had been a candidate for Amman district but had not won in the elections, was invited by the King to form a Cabinet (the constitution did not require a prime minister to be a member of parliament). The new Cabinet was a coalition, composed of eleven Ministers, of whom seven were National-Socialists, one a Ba'thist, one a Communist, and two were independent.<sup>(105)</sup>



**Table 2.1: The Distribution of Seats by Party Representation in Parliament, 1950-1956**

Political Parties	Second Parliament April 20, 1950	Third parliament August 29, 1951	Fourth parliament October 17, 1954	Fifth Parliament October 21, 1956
National Socialist	10	11	1	11
Communist	2	2	2	3
Ba'th	2	3	0	2
Arab Constitutional	8	9	17	4
Community ( <i>al-Umma</i> )	2	1	0	1
Muslim Brotherhood	-	-	4	4
Liberation ( <i>Tahrir</i> )	-	-	1	1
Independent Candidates	16	14	15	14
Total	40	40	40	40

**Source:** Kamel Abu Jaber, "The Legislature of the Hashemite Kingdom of Jordan: A Study in Political Development", in *Muslim World*, Vol. LVIII, Nos. 3-4, July-October 1969, p. 231.

During the life of the fifth parliament, the country was subjected to severe political tension. The election was mainly fought on the issues of foreign policy which centred around Jordan's position in the Arab world and the fate of the Anglo-Jordanian treaty.<sup>(106)</sup> This resulted in the Chamber of Deputies recommending that the Anglo-Jordanian treaty be cancelled. On November 1956, the Prime Minister, Sulaiman al-Nabulsi, announced in the Chamber of Deputies that the government was determined to end the treaty as soon as Syria, Egypt, and Saudi Arabia fulfilled their offer to replace British financial aid to Jordan. On January 19, 1957, an agreement was signed between Jordan and the three Arab states in which they promised to pay Jordan \$36 million annually, (the amount of subsidy Jordan was receiving from the British government).<sup>(107)</sup> Al-Nabulsi also announced that the government was working towards establishing diplomatic relations with the Soviet Union and China. The King was displeased with al-Nabulsi's approach to the Communists, and on February 2, 1957, issued an open letter

to al-Nabulsi in which he warned against the danger of communist infiltration. The letter was published in the press:

Strange views have infiltrated into our midst. Unless these unwarranted principles, beliefs and views, which are in sharp contrast to our own, are curtailed and confined within certain limits, they will affect all the glory and the prestige for which our nation stands. Imperialism, which is about to die in the Arab East, will be replaced by a new kind of imperialism. If we are enslaved by this, we shall never be able to escape or overthrow it ... No gap must be left to allow the propaganda of communism to ruin our country.<sup>(108)</sup>

On April 10, 1957, Sulaiman al-Nabulsi was asked to resign from office, as a result of the abortive Abu Nuwar military coup which he had supported. All political parties were banned, martial law was imposed and remained in effect until November 1958.<sup>(109)</sup>

#### **2.2.3.6. The Sixth Chamber of Deputies, 1961-1962**

On October 22, 1961, the sixth Chamber of Deputies was elected, and was both a conservative and pro-government body. Voter participation in the elections of the sixth parliament did not exceed ten per cent of the electorate in the country and two-thirds of the candidates ran unopposed.<sup>(110)</sup> No political parties were allowed, nor was any candidate allowed to identify himself as representing a party.

On January 28, 1962, Wasfi al-Tal formed a new cabinet, comprised of educated members and professionals of administration experience. However, because the government of Wasfi al-Tal was very progressive, and due to the unpopularity of the sixth Parliament, al-Tal convinced King Hussein that the election of the sixth parliament had not been representative of the Jordanian population and was a blot on the record of the modern history of Jordan. In response, the King dissolved the Parliament on October 1st, 1962, and called for a new election. During the life of the sixth parliament

the number of Deputies was increased from fifty to sixty and the number of the Senate to thirty in accordance with Election Law No. 33, 1960.<sup>(111)</sup>

#### **2.2.3.7. The Seventh Chamber of Deputies, 1962-1963**

On November 24, 1962, the seventh Parliament was elected. According to Abu Jaber, the eleventh Chamber of Deputies was not elected freely and the government suppressed all opposition.<sup>(112)</sup> The elections produced a moderate parliament, in which more than 70 per cent of the 450,000 registered voters participated.<sup>(113)</sup> The seventh Parliament did not complete its legal term and was dissolved on April 21, 1963, as a consequence of the vote of no-confidence in Samir al-Rifai's Cabinet.<sup>(114)</sup> The latter was constitutionally unable to remain in power due to this vote of no-confidence.

#### **2.2.3.8. The Eighth Chamber of Deputies;1963-1966**

The Eighth Chamber of Deputies was elected on July 8th, 1963.<sup>(115)</sup> Only twenty deputies of the sixty were elected. Most of those who had voted against the previous cabinet were not elected.<sup>(116)</sup> Its members who were conservative and pro-government, were tightly managed by the government in the same way that those for the sixth Council had been. The Eighth Parliament did not complete its legal term, and was dissolved on December 22, 1966, due to the wave of violence, unrest, and demonstrations that followed the Israeli attack on the West Bank village of Sammu on November 13, 1966.<sup>(117)</sup>

#### **2.2.3.9. The Ninth Parliament**

The elections for the ninth Chamber of Deputies were held on April 15, 1967. Once again the election campaign was managed by the government and all opposition was suppressed. It was a pro-government and conservative body, and was a useful institution for the government.<sup>(118)</sup> Its legal term began on April 18, 1967, two months

before the Six-Day War with Israel which resulted in the Israeli occupation of the West Bank of Jordan. Its legal term expired in April 1971. Due to the occupation of the West Bank, the term of the Chamber was extended several times. Officially it was dissolved on February 7, 1976 and remained so until it was recalled by King Hussein on January 9, 1984, to convene an extraordinary session to amend the Jordanian Constitution to allow for by-elections to fill the vacant seats.

In general, each of the elections in this period were managed to a greater or lesser degree by the pro-monarchy regime. The main exception to this was the 1956 election in which political parties were very active, and resulted in the election of a pro-Arab parliament.

#### **2.2.4. The Existence of Political Parties, 1950-1957**

Between 1950 and 1957, political parties played a significant political role in the modern history of Jordan. The political groupings were organised by well-established Jordanian politicians, and the political parties' programmes were carefully drawn up.

The Jordanian Constitution of 1952 recognised the right of the Jordanian people to establish societies and political parties, provided that the objectives of these organisations were lawful, and their methods peaceful [Article 16, Clause 2]. According to law Number 15 (1955) for the organisation of political parties, all political parties were required to secure a licence from the Ministry of the Interior. Section [3] of the law stated: "The Jordanians shall have the right to form political parties provided their aims are lawful, their means are peaceful and their organisation does not contravene the provisions of the Constitution".<sup>(119)</sup>

Following the promulgation of the Political Parties Law, the Cabinet disbanded the existing parties and provided for the licensing of new parties. The only parties licensed

were the moderate and conservative parties. The Muslim Brotherhood did not apply for licence, as it was recognised as a charity rather than a party. The pan-Arab Nationalists, and the Communists were denied official approval by the government. These parties were organised underground and were able to run candidates under different names, or with the unofficial acceptance of the government. Four types of political party developed in the 1950s. These shaped political life and played a significant role in the history of modern Jordan. The types of parties were:

1. The pan-Arab Nationalist parties: the National-Socialist and the Ba'th parties.
2. The government-sponsored parties: the Arab Constitutional and Community parties.
3. The Marxist parties: the Communist.
4. The Islamic parties: the Muslim Brotherhood and the Tahrir parties.<sup>(120)</sup>

#### **2.2.4.1. The National-Socialist Party**

The National-Socialist party was founded on July 7, 1954, under the leadership of Hazza al-Majali. In October 1954, al-Majali resigned and the party was headed by Sulaiman al-Nabulsi.<sup>(121)</sup> The party's domestic policies envisaged the preservation of the existing system of government, freeing the people from poverty, illiteracy and disease, ensuring basic public liberties and the emancipation of the Arab Homeland from foreign domination.<sup>(122)</sup> In the field of foreign affairs, the National-Socialist party opposed all forms of foreign influence, and sought a neutral foreign policy. The National-Socialist party was outlawed in 1957.<sup>(123)</sup>

#### **2.2.4.2. The Arab Ba'th Socialist Party**

The Jordanian Ba'th party was a branch of the Syrian Ba'th party, which was established in 1940 under the leadership of Michel Aflaq and Salah Bitar. The Ba'th party of Jordan applied for registration on three separate occasions, on March 5, 1952, June 23, 1953, and March 20, 1954. These petitions were refused by the Ministry of the Interior. Then, on August 28, 1955, the party appealed to the High Court of Justice which

granted the party the right to register as a legal political party, thereby overruling the Ministry of the Interior's decision.<sup>(124)</sup> It was revolutionary in principles and approach, believing in Arab unity and Socialism. It considered the Arab nation an indivisible nation, and called for a regenerated Arab state that would give equal opportunity to every citizen in every way. The Ba'th's slogan, was "one Arab nation with an eternal mission", and its three basis principles were Unity, Freedom and Socialism. The Ba'th party was outlawed in 1957 with the other political parties.<sup>(125)</sup>

#### **2.2.4.3. The Arab Constitutional Party**

The Arab Constitutional party which had unofficially participated in earlier elections was finally registered on April 2, 1956.<sup>(126)</sup> It was the most conservative and pro-government party. It believed in Arab unity, national freedom, and social equality of education and political agitation.<sup>(127)</sup> The party was dissolved in April 1957.

#### **2.2.4.4. The Community Party**

The Community party was established on July 7, 1954. The party's constitution called for the liberation of all Arab states from any foreign influence; the return of the occupied territories of Palestine; the guarantee of a reasonable standard of living for Jordanian people; support for the Constitution's aims to guarantee individual rights and freedom; an end to poverty and unemployment; and a national social and education system.<sup>(128)</sup>

The party participated in second and third parliaments with unofficial recognition. On November 14, 1954 the party voluntarily dissolved itself after some members withdrew, declaring the reason to be lack of freedom and oppression by the government.<sup>(129)</sup>

#### **2.2.4.5. The Communist Party**

The Communist party of Jordan was established in June 1951, under the direction of Fu'ad Nasar.<sup>(130)</sup> The Communist party was denied government approval and operated underground. It continued to grow in the early 1950s despite restrictions and press censorship. It participated in the parliamentary election of 1951 under the name of the Popular Front (*al-jabha al-shabiyah*) and won two seats.<sup>(131)</sup> The party believed in national freedom and national independence, and declared that their aim was to establish a Communist state on the Soviet pattern. The party drew its support mainly from the lower middle class, students and teachers, and professional groups. It was especially active and successful among the Palestinian refugees.<sup>(132)</sup>

#### **2.2.4.6. The Muslim Brotherhood Party**

The Muslim Brotherhood party was founded in Jordan in 1953, as an off-shoot of the Muslim Brotherhood of Palestine, which in turn was an extension of the Egyptian Muslim Brotherhood, under the direction of Muhammad Abd al-Rahman Khalifah. It is a theocratic party believing in a united Islam, which strives to apply the rules of the Islamic *sharia* upon society, and enjoys a degree of official tolerance. The Muslim Brotherhood party was recognised as a charity rather than a party and was never dissolved.<sup>(133)</sup>

#### **2.2.4.7. The Islamic Tahrir Party**

The Islamic Tahrir party was founded in Jordan in 1952, by Shaikh Taqi al-Din Nabhani. It believed in the establishment of an Islamic Caliphate through a strategy of holy war (*jihad*). It operated underground and is still an outlawed party.<sup>(134)</sup>

#### **2.2.4.8. The Demise of Political Parties**

In April 1957 a coup against the King was attempted from within the Army under the command of Abu Nuwar, who had replaced General Glubb Pasha as Commander-in-Chief of the Jordanian Army. A state of emergency was declared and all political parties were banned. The dissolution of political parties in Jordan was justified by a number of reasons, which were related to the parties themselves. Abd al-Fatah al-Rashdan explained these reasons as:

1. It was said that the parties and their leaders were working against the constitution. Each one was looking forward to take over, even by force if necessary, and spread its ideology. Therefore, the government saw that these parties contradicted the political system of the country and their means were illegal as proved practically.
2. It was related that these parties spread subversive ideas though Jordan using both the passiveness of ideology and actual violence. These practices changed the party from peaceful political organisations to armed opponents.
3. Furthermore, they exercised secret activities and received funding from outside the country. Their ideas were imported to the extent that doubts were raised as to their loyalty towards the country and the political system. Therefore, the parties lost their constitutional legitimacy officially, as a result of breaking the constitution.<sup>(135)</sup>

#### **Conclusion**

The early history of Jordan has had a substantial influence in shaping the modern democratic experience in Jordan. Amir Abdullah's efforts to bring Jordan to full statehood can still be traced in the real power held in Jordan by the modern monarchy. However, Amir Abdullah's attempts to give the Jordanian people the right to political self-expression have been carried on by the process of political liberalisation today.

The transitional period between 1928 and 1947 was marked by growing political awareness in Jordan. It was during this time that the growth of political parties began, which were to play an important role in the modern history of Jordan. However,



political parties were involved in conspiracies against the King. Furthermore, they were supported by external countries which resulted in the banning of all political parties in 1957. In spite of a continual process of building political institutions in Jordan, the experience was weak and the government frequently intervened in the functioning of parliament. Thus, seven Chambers of Deputies out of nine in this period were dissolved due to non-co-operation between the executive and legislative authorities.

Overall, the changes throughout this period contributed positively towards the emergence of representative democracy in Jordan. The successes of this period include constitutional development; the implementation of the legislative council; the formation of institutional structures; the role of political groupings and parties; and regular parliamentary elections, albeit not always freely and fairly.

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**CHAPTER THREE**  
**THE DEVELOPMENT OF THE CONSTITUTIONAL FRAMEWORK AND**  
**POLITICAL INSTITUTIONS: 1967-1989**

**Introduction**

The period stretching from 1967 to 1989 was characterised not only by major international and regional political events, but also by considerable internal social and economic change. At that time, Jordan faced two major challenges. First, the occupation of the West Bank by Israel in June 1967, which involved an influx of refugees from the West Bank. This added barriers and obstacles to communication with the West Bank deputies as well as delaying the functioning of legislative authority. Second, the Rabat Summit resolution in 1974 to appoint the PLO as the sole representative of the Palestinian people constituted a further turning point in the political life of Jordan. The importance of the two developments is that around half the population of Jordan are of Palestinian origin. The events inevitably affected the role of the parliament, and in fact led to its prorogation. However, whenever the King found it necessary to introduce or amend laws, parliament was re-convened for this specific purpose.

With the prorogation of parliament, the Jordanian government began to search for a new formula to fill the constitutional gap and to provide the opportunity for citizens to participate in the decision-making process. This took the form of the creation of the Jordanian National Union in 1971, the Tribal Council in 1972, and the establishment of a quasi-legislative body - the National Legislative Council - in 1978. In 1984 there were by-elections, and in 1986 the electoral law was changed to increase representation from the two Banks equally. The main objective of this chapter is to analyse these political developments and the role of parliamentary life in Jordan over the period in question.



### **3.1. The Impact of General Political Developments on the Constitution:1967-1988**

Two major events shaped the political life in Jordan during this time; the occupation of the West Bank and the Rabat Summit resolution. These will be discussed in turn.

#### **3.1.1. The Arab-Israeli War of 1967: Its Impact on Political Development in Jordan**

The 1967 Arab-Israeli War influenced the political system in the country and wrought political change, leaving its mark on all aspects of Jordanian life. As a result of this war, Jordan lost the West Bank of the Jordan River, and refugees and displaced Palestinians moved to the East Bank. Moreover, a new political challenge came from the Palestinian groups which gained control in the refugee camps, and used Jordan as the main base for guerrilla attacks against Israel. The Palestinian movement against the Israeli occupation was activated on Jordanian ground, and a new political climate was created.<sup>(1)</sup> Political opposition came to function more openly immediately after the war, and despite being illegal, political parties re-appeared. These included the Arab Nationalist Movement, al-Fatah, the Popular Front for the Liberation of Palestine (PFLP), and the Popular Democratic Front for the Liberation of Palestine (PDFLP).<sup>(2)</sup>

Under these circumstances, the PLO presence in Jordan became increasingly powerful, especially in the refugee camps and some parts of the main cities. It was said that the Palestinians tried to establish a state within a state, which would challenge the Kingdom internally. This state of affairs angered the Jordanian government, leading it to enter into conflict with the Palestinians. As a result, organised Palestinian activity came to an end and political parties withdrew to their earlier position practising their political activities in secret, as they were being followed and closely monitored.<sup>(3)</sup>

The occupation of the West Bank interrupted the normal functioning of parliament, since half its members were from the West Bank. Article One of the Jordanian Constitution states that:

The Hashemite Kingdom of Jordan is an independent sovereign Arab State. It is indivisible and inalienable and no part of it may be ceded. The people of Jordan form a part of the Arab Nation, and its system of government is parliamentary with a hereditary monarchy.

The West Bank still remained constitutionally a part of Jordan even after the 1967 war. However, travel between the West Bank and the East Bank became a complicated process. The Jordanian government had refused to call an election because it could be regarded as lending legitimacy to the Israeli occupation of the West Bank and it was impossible for the West Bank to participate in the elections due to the Israeli occupation.

The West Bank suddenly found itself cut off from the East Bank, formerly the centre of all Jordanian economic activity. The 1967 war, and the subsequent occupation of the area by Israel, resulted in economic dislocation and a flow of refugees to the East Bank, estimated to be in the region of between 150,000 and 250,000 people.<sup>(4)</sup>

On August 1, 1967, as a result of the Arab-Israeli war, the Cabinet resigned, and on the same day the King issued a Royal Decree forming a new Cabinet under the leadership of Sa'ad Juma'h. King Hussein also formed a nine man Consultative Council to help him deal with internal and external affairs. The Council was composed of the then prime minister Sa'ad Juma'h, and some former premiers and politicians, including Sulaiman al-Nabulsi, Wasfi al-Tal, Bahjat Talhuni, Sharif Hussein Ben Nasir, and Field Marshall Habis al-Majali. It was to meet weekly and "participate in the responsibility of power".<sup>(5)</sup> This Council met a few times, and although it was not formally dissolved by the King, it gradually disintegrated.<sup>(6)</sup>



### **3.1.2. The Rabat Summit of 1974 and Its Effect on Jordanian Parliamentary Life**

In the 1973 October War between Syria and Egypt on the one side and Israel on the other, Jordan became partially involved by sending troops to fight on Syrian territory. Jordan followed the United States' lead and agreed to join the Geneva Peace Conference, which was to meet under the supervision of the United States and the Soviet Union in order to seek an overall peace settlement in the Middle East. The PLO, fearing that it would be excluded from participating in the forthcoming Geneva Conference, started to push Jordan into disengaging itself from its links with the West Bank, and pressed for PLO participation in any discussion of a peace settlement in the Middle East.<sup>(7)</sup>

King Hussein announced at a meeting with President Anwar al-Sadat in Alexandria on July 18, 1974 that the PLO should be the sole legitimate representative of the Palestinian people outside Jordan and at the coming Geneva convention. On September 22, however, the King made it clear that Jordan would continue to claim the right to speak for the Palestinians in Jordan and the occupied West Bank.<sup>(8)</sup>

As the latter position was clearly unacceptable to the Palestinian leadership, the PLO worked to secure support from several other Arab governments. This backing was obtained on October 26, 1974, at a summit meeting in Rabat. There, the heads of twenty Arab states united in recognising the PLO as the sole representative of the Palestinian people on any Palestinian land that was to be liberated. Among other points, the Palestinian people's right to return to their homeland, their right to self-determination and their right to establish an independent national authority were recognised.<sup>(9)</sup>

Soon afterwards, on November 10, 1974, on the King's initiative, the Jordanian parliament adopted an amendment to article [34] of the constitution, allowing the King

to dissolve parliament for a period not exceeding one year. The King's reasons for doing so were based on the need for constitutional reform whereby the Kingdom could be limited to the East Bank so that there could be a separation of West Bank personnel from the government.<sup>(10)</sup> In fact, there was a widespread feeling among the population that Palestinians should not participate in political life, and that the Constitution should be amended accordingly.<sup>(11)</sup>

Apart from the 1967 war, no single event has had as much impact on Jordan's internal and external position as the Rabat decision of October 1974. Both King Hussein and Yasir Arafat attended the Rabat summit conference, with both parties determined to defend and plead their case before the Arab heads of state and government. King Hussein's standpoint was that the West Bank had become a part of Jordan through a referendum held in 1947, whilst Arafat played down the role of Jordan in the West Bank to that of trustee-administrator.<sup>(12)</sup>

The King's position on the Rabat decision was made clear in an interview which he gave to Newsweek, published on November 11, 1974:

**Q:** Many Arab heads of state reportedly told you privately before the summit that they believed only Jordan could obtain the return of the West Bank in negotiations with Israel. Then they went to Rabat and decided to turn responsibility for the West Bank over to the Palestine Liberation Organisation. What happened?

**Hussein:** It is the Arab conviction that a Palestinian entity is an imperative necessity. Israel has been doing its best to wipe out the very name of Palestine. The decision will compel Israel if not today, sometime in the future to recognise the Palestinian reality.

**Q:** And you decided to acquiesce?

**Hussein:** There is an Arab verse which says, in effect, where my tribe goes, I go. I was able to present my convictions to all responsible Arabs. As a part of the Arab nation, ever seeking its unity, I go with the general consensus - regardless of any previous feelings.

**Q:** But you often said you would never agree to prejudge the future of the West Bank without a referendum to allow the Palestinians living there to exercise their right of

self-determination. Now, the PLO has the automatic right to take over any liberated part of the West Bank. What changed your mind?

**Hussein:** We didn't change our mind. We have always said we would be willing to give our support to either option - our way, or the PLO way. The collective Arab will was to choose the PLO option. And we support it, regardless of the consequences. But there will be no change in our attitude toward all Palestinians on the West Bank. For as long as is needed, we shall honour our obligations to help them in every way.

**Q:** Does Jordan now consider itself relieved of any further responsibility for the liberation of the West Bank?

**Hussein:** If Israel refused to negotiate with Jordan on the ground that whatever Palestinian territory is returned will be turned over to the PLO, then there won't be much we can do about it. An entirely new situation exists now.<sup>(13)</sup>

However, the King avoided complete separation from the Palestinians and no official decision was taken by the government concerning the future of the West Bank. Instead, the King suspended the Chamber of Deputies, and the number of Palestinian ministers in the government was reduced from ten to four.<sup>(14)</sup> On February 4, 1976, the Chamber of Deputies was convened by Royal Decree to amend Article [73] of the Constitution. The amendment removed the time limits to postpone elections by the King and give him the right to convene the old Chamber of Deputies whenever necessary. This was followed on February 7 by a Royal Decree dissolving the Chamber of Deputies.<sup>(15)</sup>

### **3.1.3. The Constitutional Amendments**

Between the years 1974 and 1989 constitutional amendments were driven by the resolution of the Rabat Summit, which resulted in political tension between West Bank and East Bank. The situation was further complicated by the need to avoid giving legitimization to the Israeli occupation of the West Bank, thus to keep nominally equal representation between both Banks. Since in practice this was virtually impossible, the operation of government became increasingly controlled by the King. The Jordanian

Constitution was amended several times between 1967 and 1984, to cope with the changing political environment. Although the term of the ninth parliament was due to expire on April 18, 1971, the period of the Chamber of Deputies was extended for two years, until April 18, 1973, by a Royal Decree which was issued on March 3, 1971.<sup>(16)</sup> While there have been different interpretations of the King's objectives in amending the Constitution, the researcher would contend there were three main aims: to maintain a form of parliamentary body in the country; to avoid complete separation from the Palestinians; and not to violate the Constitution. The King was acting in accordance with Article [68] paragraph [1] of the Constitution, which laid down that the term of the Chamber of Deputies would be four calendar years, and the King had the right to extend the Chamber of Deputies for one year but not more than two years:

The term of office of the Chamber of Deputies shall be four calendar years commencing from the date of the announcement of the results of the general elections in the Official Gazette. The King may, by a Royal Decree, prolong the term of the Chamber for a period not less than one year and not more than two years.

Article [73] paragraph [2] of the Constitution, explained that if elections were not held within four months, the dissolved Chamber was to be restored to its full constitutional power and convene as if its dissolution had not taken place. This article explains this as follows:

If no elections have taken place by the end of the four months, the dissolved Chamber shall assume its full constitutional powers and assemble forthwith as if its dissolution had not taken place. It shall remain in office until the election of a new Chamber.

Between November 1971 and November 1974, many Royal Decrees were issued convening, extending, and postponing ordinary and extraordinary sessions of parliament. This enabled the King to adhere to the provisions of Article [73] paragraph [2] of the Constitution.

According to Article [81] of the Constitution, the King could postpone the session of parliament three times only during each session, or two times if he had postponed the meeting of parliament according to paragraph [1] of Article [78] of the Constitution during any session and not exceeding two months. This is stated as:

The King may by Royal Decree adjourn the session of the National assembly for not more than three times, or two times only if He had postponed the meeting of the National Assembly under paragraph (1) of Article (78), provided that during any one session the period of such postponement shall not exceed two months in the aggregate, including the period of postponement. In computing the term of the session, the periods covered by any such adjournment shall not be taken into account.

According to the provisions of these Articles, the King tried to use his Constitutional right to maintain the existence of a parliamentary system in the country. On February 24, 1973 a Royal Decree was issued convening the Chamber of Deputies in an extraordinary session as from March 1, 1973 to consider certain matters listed in the Royal Decree.<sup>(17)</sup> The most important matter was the amendment of Article [88] of the Constitution in order to fill the vacancies in the Chamber of Deputies. The amendment followed from the deaths of members of the Chamber of Deputies from the West Bank. This Article had previously stated the following:

Should there occur a vacancy in either the Senate or the Chamber by death, resignation or any other cause, the vacancy shall be filled by appointment in the case of a Senator, and by special election in the case of a Deputy, within a period of two months from the date of notification of the vacancy to the government. The term of office of the substitute shall expire at the end of that of his predecessor.

After its amendment, the article read as follows:

When a seat becomes vacant in the Senate or in the Chamber of Deputies by death or resignation or for any other reason, it shall be filled by appointment in the case of a Senator and by the holding of a by-election in the case of a deputy within a period of two months from the date on which the Government is notified of the vacancy

by the House. The term of the new member shall be for the remaining part of the term of his predecessor.

However, if a seat in the Chamber of Deputies becomes vacant for any constituency for any reason and should there be force majeure on account of which the Council of Ministers considers that rendering a by-election to fill that seat is impossible, the Chamber of Deputies, by the absolute majority of its members and within one month of its being notified thereof, shall elect a member to fill the said seat from amongst the inhabitants of the said constituency to whom the provisions of the Constitution are applicable and in the manner the Chamber deems appropriate.

This Article was approved by the Chamber of Deputies on April 4, 1973.<sup>(18)</sup> Al-Masri told the researcher that this amendment was due to “the need to elect the five replacement deputies from the West Bank Constituencies. These deputies were duly elected by an absolute majority of members of the Chamber of Deputies”.<sup>(19)</sup>

Following the Rabat Summit resolution, King Hussein issued a Royal Decree on November, 5, 1974, convening the Chamber of Deputies in an extraordinary session as from November 9, 1974 to amend Articles [34] and [73] of the Constitution.<sup>(20)</sup> The amendment took the form of the addition of a paragraph in Article [34] of the constitution on November 10, 1974, giving the King the right to dissolve the Senate or relieve any member of his functions for any reason. This amendment read as follows: "The King may dissolve the Senate or relieve any Senator of his membership".

Article [73] of the Constitution was amended at the same time by the addition of a fourth paragraph, giving the King the right to postpone the general election for a period not exceeding two years, on condition that the Council of Ministers found it impossible to hold the elections. This read as:

Notwithstanding the provisions of paragraphs (i) and (ii) of this Article, the King may postpone the holding of the general elections if a force majeure has occurred which the Council of Ministers considers as rendering the holding of elections impossible.

Following the amendment to Article [73], the extraordinary session was prorogued by Royal Decree on November 10, 1974. The Senate and the Chamber of Deputies were dissolved by Royal Decree issued on November 23, 1974. The new Senate was formed by Royal Decree on December 1, 1974.<sup>(21)</sup>

On February 4, 1976, a Royal Decree was issued convening the Chamber of Deputies in an extraordinary session, in order to effect other amendments to the constitution. Article [73] of the constitution was amended for the second time in the form of the addition of an extra paragraph. This amendment removed time limits on the King's power to postpone elections while maintaining his right to convene the old Chamber of Deputies whenever necessary:

Should the force majeure provided for in paragraph (iv) hereof persist, the King may, upon a decision taken by the Council of Ministers, reinstate and convene the dissolved Chamber. Such Chamber shall be deemed as having been in existence in all respects from the date of the issue of the Royal Decree effecting its reinstatement. It shall exercise its full constitutional powers and be subject to the provisions of this Constitution, including those pertaining to the term of the Chamber and its dissolution. The session which it holds in such case shall be deemed to be its first ordinary session regardless of the date when it takes place.

Following the resolution amending Article [73] of the Constitution, the Chamber of Deputies was dissolved once again on February 7, 1976 by Royal Decree with immediate effect. Elections were suspended on the grounds that they were impossible to carry out in the occupied West Bank and because it could be regarded as some form of recognition of the Israeli occupation if parliamentary elections were to be limited to the East Bank.<sup>(22)</sup> However, the Senate was not dissolved by the application of the provisions of paragraph [2] of Article [66] of the Constitution, but instead remained in existence, although its sessions were suspended.<sup>(23)</sup> This Article reads as follows, "If the Chamber of Deputies is dissolved, the sessions of the Senate shall be suspended". The reason behind this amendment was to maintain a representative body from both Banks.

### **3.2. The Creation and Operation of Non-Parliamentary Participative Institutions, 1967-1989**

Following the 1967 war and the Rabat Summit resolution of 1974, parliamentary life in Jordan became spasmodic, increasing the political gap between the public and the government. However, the cultural development which Jordan had witnessed and the absence of political institutions drew the authorities' attention to the need for a new method of bridging the gap between the government and the public.

King Hussein's policy was to seek to create institutions which would provide the opportunity for popular participation in the decision-making process, to cover the period while parliament was unable to function properly. This resulted in the establishment of the Jordanian National Union in 1971, followed by the Tribal Council in 1972, and the National Consultative Council in 1978. This section will analyse the role and the nature of these changes in Jordan.

#### **3.2.1. The Jordanian National Union**

Following the Civil War of September 1970, involving Jordan and the Palestinian guerrilla movement, King Hussein overtly attempted to re-shape the Jordanian political environment. On October 10, 1971, he issued a Royal Decree to establish the Jordanian National Union, which was described as the nation's sole authorised political organisation.<sup>(24)</sup>

The Jordanian National Union consisted of 360 members, who would meet together as the Union Congress to represent their districts. On November 25, 1971, the National Union Constituent Congress elected King Hussein as the president of the Union and Crown Prince Hassan as its vice-president. King Hussein then appointed a provisional executive committee composed of thirty-six members. The Union membership was estimated to be about 100,000 at the time of its dissolution.<sup>(25)</sup>



The Jordanian National Union, with its emphasis on the Jordanian state, was criticised by the Palestinian guerrilla movement as an attempt to move away from the path of the Arab nation.<sup>(26)</sup> This resulted in the National Union being renamed the Arab National Union on March 16, 1972. In April 1974 King Hussein dissolved the executive committee of the Arab National Union, and accepted the resignation of the Secretary General, and in February 1976 the Cabinet approved a law abolishing the Union.<sup>(27)</sup>

The Jordanian National Union was not a political party as such but a forum for political debate and activity. However, it failed to influence the political process and to substitute adequately for the various political organisations in Jordan. The experiment was unsuccessful and was not in harmony with democratic principles.

### **3.2.2. The Tribal Council**

In September 1972, the King announced his decision to establish a Council of Tribal Shaikhs, to maintain control over tribal affairs. Members of the Council ranged between 12 and 15 appointees of the King, all of whom were tribal heads excluding the head of the council. The latter position was held by prince Muhammad, the King's brother. According to Article [5] of the Council Law, members chosen for this council were to fulfil the following conditions:

1. They shall be Jordanian citizens.
2. They shall be heads of their wandering tribes (former MPs and Senators are preferred)
3. They shall not be interdicted, or sentenced to a prison term for a moral felony. The resignation of these members and the head of the Council shall be carried out via a Royal Decree.<sup>(28)</sup>

The Council was entrusted with the task of recommending programmes and actions concerning tribal affairs, covering administrative, legislative, health, economic, agricultural, educational, and social matters. It was expected to:

1. Identify all means which can assist in promoting and raising the standards of living among the tribes, and in achieving a stable type of life.
2. Explain the issues which would encourage prosperity in the lands owned by tribes and their villages, and which would improve their agriculture trade and their financial situation.
3. Present all issues which pertain to the general requirements of the tribes and to their actual problems, and keep government officials informed of all shortcomings.
4. Suggest an administrative approach which would be suitable for the nature of the tribes and their socio-spiritual conditions and leanings.
5. Recommend to the government names of those members of tribes who are eligible for, and are in the need of, some '*amiri* Land' (state land) in accordance with the current laws and regulations.<sup>(29)</sup>

The reason for the establishment of the Tribal Council was clearly that the tribal shaikhs were deemed qualified to assess Bedouin needs. They were thus asked to give their opinion on how to fulfil these needs, and were entrusted with maintaining control over tribal affairs. However, the Council was short-lived, and was dissolved in 1973. There were several factors involved in the failure of the Council. First, it did not satisfy the majority of the tribes who were not represented in the Council as there were only 12 to 15 members, while at least thirty tribes existed at that time. Second, Bedouin intellectuals felt that the Council would isolate them from the rest of Jordanian society. Third, many Bedouins saw the shaikhs as symbols of self-interest.<sup>(30)</sup>

### **3.2.3. The National Consultative Council ( NCC )**

As a result of the failures of the National Union and the Tribal Council discussed earlier, both institutions were brought to a premature end. In a further attempt to bridge the gap between the government and the public, King Hussein created the National Consultative Council (NCC) to serve as a quasi-parliamentary body, which could discuss public policy and the temporary laws which the government needed to issue in the absence of a parliamentary council.<sup>(31)</sup> On April 14, 1978, King Hussein sent a message to the Prime Minister, Mudar Badran, which included the following directive:

We, therefore, believe that until conditions permit the return of full parliamentary life, a National Consultative Council should be established and should be comprised of competent men who can truly represent various public sectors and who are loyal to the country and its Constitution. The task of the Council would be to advise the government, discuss public policy, and consider all legislation and laws.<sup>(32)</sup>

As a result, the National Consultative Council (NCC) was established on April 24, 1978, as a partial and temporary replacement for the adjourned elected legislature which had been dismissed in 1976.<sup>(33)</sup> King Hussein explained that, "It became obvious that it was unnatural for the country to remain without one of its main foundations while waiting for circumstances to improve".<sup>(34)</sup> The King also stated: "It is not possible for the burden of legislation to be borne by the Executive alone, and that the organisation in which free expression of the opinions, interests and feelings of the citizens on public issues is permitted must not disappear".<sup>(35)</sup>

The National Consultative Council's duties were to study and debate all bills and render its opinion and advice on them to the Cabinet, and to render an advisory opinion to the Cabinet on matters of general state policy when requested by the prime minister. According to Article [7] of the NCC Law, the responsibilities of the National Consultative Council, were:

- a. Studying and discussing all proposals of laws and offering opinion and advice about them to the cabinet before being approved. These proposals are then forwarded to the N.C.C by the Prime Minister.
- b. Offering opinion and advice to the cabinet about enacting a law or recommending, cancelling or amending any of the current laws.
- c. Offering opinion and advice to the cabinet on all matters of public policy at all levels and ranges. Each member has the right to question the Prime Minister and ministers on any of these matters.
- d. Offering opinion and advice to the cabinet on all matters of public services and facilities. Each member has the right to question the Prime Minister and ministers on any of these matters.
- e. The Audit Office shall submit to the N.C.C a general report embodying its views and comments and indicating any irregularities committed and responsibility arising there from. This should take place within six months after the closing of the government fiscal year".<sup>(36)</sup>

The appointment of the members by the King, on the recommendation of the Prime Minister, meant that the Council was clearly not in a position to challenge the executive authority, nor to act independently. It did not have any legislative power but assumed a purely consultative function.<sup>(37)</sup> Its role was advisory and its decision was not legally restrictive. The NCC was therefore not a substitute for any constitutional institution.

The National Consultative Council was composed of members representing a whole range of the political spectrum as well as different localities and minorities. This Council's composition could be said to be 'better' than that of earlier legislative bodies, since its members were educated and from the political elite, that is, people with power, knowledge and political authority. Furthermore, they were representatives of different categories of the public: professionals, trade unions, Chamber of Commerce organisations, urban and rural areas, women, religious factions, Bedouins, and minority groups e.g. Christians and Circassians. The first council included six members known as leftists and three members of the Muslim Brotherhood organisations. These members had disengaged their links to anti-regime organisations.<sup>(38)</sup> Women were represented for the first time in Jordan's political life by three women.<sup>(39)</sup> Tables 3.1 and 3.2 provide the occupations and professional degrees held by the NCC members. These tables indicate that all NCC members were from the upper class, in terms of political influence, education, and income.

**Table 3.1: Occupations of N.C.C Members**

<i>Shaikh Ashira*</i>	11
Businessman	9
Farmer/Landowner	14
Teacher/Educator	4
Professional	22
Total	60

**Source:** Nabeel A. Khoury, "The National Consultative Council of Jordan: A Study in Legislative Development", in International Journal of Middle East Studies, 1981, p. 432.

\* Shaikh Ashira means Tribal Head

**Table 3.2: Academic/Professional Degrees Held by N.C.C Members**

High School Diploma	21
BA. or BS.	11
M.A	1
Ph.D.	2
Law Degree	13
Engineering	5
MD	7
Total	60

**Source:** Nabeel A. Khoury, "The National Consultative Council of Jordan: A Study in Legislative Development", in International Journal of Middle East Studies, 1981, p. 432.

The term of the NCC lasted for a two year period during which ordinary sessions of the Council were to last for four months of the year, while extraordinary sessions could be convened by Royal Decree if deemed necessary. Meetings of the National Consultative Council were scheduled on a weekly basis, and the NCC had regular contact with the government. The Prime Minister and the members of his Cabinet attended almost all the weekly NCC sessions. At these meetings the government's public policy and foreign and internal affairs were discussed, with different points of view being highlighted. The programmes and plans of the ministries were also discussed, as well as

other issues such as the future of the West Bank, its relationship with Jordan, and the approval of the budget. The NCC never, however, altered any proposed budget and passed the proposals with little difficulty.<sup>(40)</sup>

The NCC acted as a mediator between the people and the government. For the people it performed the function of an intermediary with the state bureaucracy. For the government it played the role of a conveyor, interpreting government policy and relaying the wishes of the government to the people. In the first session, for example, the government's agricultural policy was strongly debated by the Council, and members brought up detailed complaints and grievances of farmers and consumers as well as matters connected with the public interest in general.<sup>(41)</sup> All policy matters were normally explained by government members before the NCC. The first and second Councils were both composed of 60 members. The third Council was increased to 75 members to cover a wider range of expertise. Its activities lasted for six years (six sessions), continuing until 1984. The National Consultative Council was dissolved on January 7, 1984, by Royal Decree to permit the resumption of the elected Chamber of Deputies.<sup>(42)</sup>

Since the NCC had no power to make policy or to approve, amend, or reject any bill, the main reason for the establishment of the NCC was not legislative but political. The dissolution of the Ninth Chamber of Deputies had left the country without any political institution through which representatives of the population could express their needs, aspirations, and grievances. The NCC therefore served to relieve political tension, which to some extent it did successfully.

### **3.3. The 1984 Parliamentary By- Elections and the Parliamentary process, 1984-1988**

In January 1984, after seventeen years of frozen parliamentary life in Jordan, King Hussein recalled the prorogued parliament of 1967. The recall of parliament in Jordan in 1984 was caused by both constitutional and political factors and led to a new era of regular parliamentary activity. Constitutionally, the King feared that the deaths of MPs would soon preclude the assembly of a quorum of forty. By 1984 only forty-four of the sixty deputies elected in 1967 were still alive.<sup>(43)</sup> Politically, the King was responding to criticism of the lack of political participation in the country. The resumption of parliamentary activity took some of the pressure off him. Another political reason was to pressurise the PLO, who were still not recognised by either Israel or the United States, into joining Jordan for future political moves towards a peace agreement with Israel.<sup>(44)</sup> By ensuring continued equal representation for both Banks in the parliament, this maintained Jordanian legitimacy for the West Bank.

On January 9, 1984, a Royal Decree was issued inviting the ninth parliament to convene an extraordinary session to consider an amendment to Article [73] of the Constitution. This amendment took the form of the addition of an extra paragraph to allow direct elections in the East Bank of Jordan to replace the eight members who had died since the 1967 poll. The eight vacant seats in the West Bank, on the other hand, were to be filled following an internal election within parliament, since it was impossible to hold elections on the Israeli-occupied West Bank.<sup>(45)</sup> The paragraph stated this as follows:

Should the Council of Ministers consider that the holding of general elections in at least one half of the constituencies is possible in spite of the persistence of the force majeure referred to in this Article, the King may order the holding of elections in such constituencies. The successful members shall elect not more than one half of the number of the members for the other constituencies in which it was impossible to hold elections, provided that they can hold a (valid) meeting only by a majority of three-quarters of their number, and provided also that the elections shall be by at least a two-thirds majority and shall be in accordance with the provisions and in the manner provided for in Article (88) of the Constitution.

The successful members and the members elected in accordance with this paragraph shall elect the remaining members for the said constituencies in accordance with the provisions of this paragraph.

Given that the election could be carried out in five of the ten constituencies which existed in the East Bank, West Bank constituencies could be elected by members of parliament who were already elected. The revised Article [73] constituted a clear basis in which new by-elections could be held.

### **3.3.1. The 1984 By-Elections: Candidacy**

Nominations for the by-elections to the Ninth Chamber of Deputies began on February 16, 1984 and lasted for five days. A hundred and one candidates competed for the eight East Bank seats. Thirty-six candidates ran for the single vacant position in Amman; twenty-seven for the three vacant seats in Balqa, two of which were reserved for Muslim candidates and one for Christians; nineteen ran for the single vacant seat in Irbid; sixteen for the two vacant seats in Karak, with one reserved for a Muslim candidate and the other for a Christian; and three ran for the Tafleh vacant seat.<sup>(46)</sup> The minimum age for candidacy was thirty. Table 3.3 shows the distribution of seats and the level of competition:

**Table 3.3: Distribution of Candidates By-election for the East Bank of Jordan (March 1984)**

Constituencies	The Vacant Seats			The Number of Candidates		
	Muslim	Christian	Total	Muslim	Christian	Total
Amman	1	-	1	36	-	36
Balqa	2	1	3	18	09	27
Irbid	1	-	1	19	-	19
Karak	1	1	2	11	05	16
Tafleh	1	-	1	03	-	03
Total	6	2	8	87	14	101

**Source:** Al Urdun Al-Jadid Research Center, [New Jordan], July 1984, p.52.



The competition level in the four Governorates was 12.6 persons per seat. The highest competition level for the vacant parliamentary seats was in the Amman Governorate with 36 candidates per seat, whilst in Irbid it was 19 candidates per seat, 9 candidates per seat in Balqa and 8 per seat candidates in Karak. The lowest competition level was in Tafileh, where it was 3 candidates per seat. In the 1984 by-elections, the level of participation represented a significant improvement over the 1967 election, and marked the beginning of the move towards restoring democracy in Jordan.

### **3.3.3. The 1984 By-Elections: Campaigning**

In the by-elections of 1984, some of the candidates ran in the election with specific electoral platforms. These platforms covered a wide range of political, social and economic issues. Political issues were an important aspect in all candidate platforms, the most significant demands being the liberation of Israeli occupied land, and the recognition of the PLO as the sole and legitimate representative of the Palestinian people. There were also demands for democratic freedom, freedom of the press and opinion, lifting the ban on political parties and allowing new political organisations, the abolition of martial law, and a new representative electoral law. The significant points of the social issues involved fighting corruption, administrative reform, supporting women's rights, and providing public services for rural areas. Regarding economic issues, candidate platforms focused on the development of national industries and agriculture, support of local production, more restriction on imported workers, and support for the small farmer.<sup>(47)</sup>

There were differences among candidates in how they dealt with political issues. The nationalist candidates generally focused on issues such as the enhancement of democratic freedom, the recognition of the PLO as the sole representative for the Palestinian people, amending the Constitution to abolish the West Bank seats, and conducting a general election in the East Bank alone. The Islamist candidates stressed

the need for armed struggle for the liberation of Palestine including the Arab lands that had been occupied in 1948. They also called for the implementation of the Islamic *Sharia*, abolishing martial law, and fighting corruption. Centrist (conservative and traditionalist) candidates ran the elections with tribal affiliation and support.<sup>(48)</sup> Candidates campaigned by means of newspaper advertisements, posters, and printed pamphlets stating their platform, as well as cloth banners hung in the streets.<sup>(49)</sup> The variety of opinions in the debate contributed to the later strong move to democracy.

### **3.3.4 The 1984 Election Results**

On March 12, 1984, by-elections were held in five of the ten East Bank constituencies for the eight vacant seats: three in Balqa Governorate, two in the Karak Governorate, and one seat each in the Amman, Irbid, and Tafileh Governorates.<sup>(50)</sup> It should be noted that the 'election' of West Bank deputies had already occurred in January when the Chamber of Deputies elected the West Bank deputies by a majority vote among the remaining members of parliament. The elected deputies nominated themselves and they were chosen by members of parliament. Most of those elected replaced relatives who had died since the previous elections in 1967.<sup>(51)</sup> Since women had been granted the right to vote on April 1, 1974, the by-elections of March 12 were the first opportunity for Jordanian women to exercise their right. During the election, women registered and participated in an unprecedented step towards involving them in political life. The number of women registering to vote was 48%. It was also the first time for anyone less than 37 years of age to vote in a national election.<sup>(52)</sup>

The by-election results were published on March 13. The by-elections were left relatively free, in order to allow the regime to gain some indication of public opinion, and the government did not tamper with the election results.<sup>(53)</sup> Although no political parties were permitted, the candidates' platforms were known by the voters. The results showed that Islamic candidates won three out of eight vacant seats in the East Bank,

two were won by members of the Muslim Brotherhood group, and the other by an independent Islamist. The five remaining seats were won by a variety of groupings. Three seats were won by Nationalist candidates. Two of them were from Karak constituency, Dr. Riyadh al-Nawaisah, and Dr. Nazih Ammarin. The remaining one was Fawzi Tuaimah a Nationalist from Balqa Constituency. The two remaining seats were won by centrist (conservative and traditionalist), Zuhair Dhuqan al-Hussein and Marwan al-Hmud, both from the Balqa constituency.<sup>(54)</sup> Table 3.4 shows the winners' votes and their affiliations.

**Table 3.4: Constituencies and Winners Affiliations and Votes**

Constituencies	Winners	Votes	Affiliation
Irbid	Ahmad al-Kufahi	23,228	Islamist
Amman	Laith Shbailat	18,458	Islamist
Balqa	Marwan al-Hmud	10,692	Centrist
	Fawzi Tuaimah	7,692	Nationalist
	Zuhair al-Hussein	7,664	Centrist
Karak	Dr. Nazih Ammarin	9,961	Nationalist
	Riyadh al-Nawaisah	3,934	Nationalist
Tafileh	Abdullah al-Akaylah	5,230	Islamist

**Source:** Al-Urdun Al-Jadid Research Centre, [New Jordan], July, 1984, pp. 43-45.

According to the above table, the highest vote was obtained by Dr. Ahmad al-Kufahi a Muslim Brotherhood candidate and a former lecturer at Yarmouk University, from the town of Irbid in the north. He received 23,228 votes with a majority of 10,687 over his rival Dr. Qasim 'Ubaidat, a candidate identified with the nationalist left. This was followed by another Islamic candidate Laith Shbailat, a former president of the Jordan Engineers' Association, who polled 18,458 votes, ahead of thirty-five candidates.<sup>(55)</sup>

### 3.3.5 The 1984 By-Election: Participation

The population of the East Bank of Jordan at the end of 1983 was estimated at around 2,495,300, a 16.2 per cent increase on the 1979 official census figure of 2,147,594.<sup>(56)</sup> The number of eligible voters in the five constituencies was 758,878, of which 542,813 registered to vote, representing 71.5% of eligible voters (see table 3.5).<sup>(57)</sup> The percentage of those who registered was high for a country such as Jordan, where there had been no elections for seventeen successive years and in circumstances which involved a sudden return to parliamentary practice.

**Table 3.5: Population, Eligible and Registered Voters in the By-Election of 1984**

1983population	Number of Eligible voters	Registered Voters	Per cent of Registered Voters to Eligible voters
2,495,300	758,878	542,813	71.5%

The number of actual voters was 274,020 representing 50% of registered voters. There were 870 polling stations, of which 375 were in the Amman constituency, 130 in Balqa, 95 in Tafleeh, 180 in Irbid, and 90 in Karak.<sup>(58)</sup> Table (3.6) shows the number of registered voters and actual voters in the by-election of 1984.

**Table 3.6: Registered and Actual Voters of 1984 By-Election**

Constituencies	Registered Voters	Actual Voters	Prop. of Actual Voters to Registered Voters
Amman	238200	102708	43.1%
Irbid	148108	76246	51.0%
Balqa	93737	48817	52.1%
Karak	45421	36769	81.0%
Tafleeh	17347	9480	54.6%
Total	542813	274020	50.0%

**Source:** Al-Urdun Al-Jadid Research Center, [New Jordan], July, 1984,P.76.

According to the above table, the highest percentage of actual voters was in Karak, where the number of voters reached 36,769, exceeding 80% of registered voters. The

lowest percentage of voters was in the Amman constituency where the number of actual voters was 102,708, representing 43.1% of registered voters. In the Irbid constituency there were 76,246 actual voters, representing 51.5 of registered voters. In the Balqa constituency, the number of actual voters was 48,817, representing 52% of registered voters. In Tafileh, the number of voters was 9,480, representing 54.6% of registered voters. The level of overall participation suggests that the population had active democratic leanings.

The Chamber of Deputies resumed its function as if it were a new council. On October 22, 1987, a Royal Decree was issued to extend the term of the Chamber of Deputies for a period not exceeding two years starting on January 17, 1988 <sup>(59)</sup> in application of the provision of paragraph [1] of Article [68] of the Constitution, as quoted earlier.

The recalled Chamber of Deputies was ineffective and lacked the ability either to represent different points of view or to meet the aspirations of the citizens. It was out of touch with the new generation of voters since most of its members had been elected in 1967. The ninth Chamber of Deputies was dissolved by the King on July 31, 1988, as a result of his decision to dismantle the legal and administrative links between the two Banks.<sup>(60)</sup> The dissolution of the Chamber of Deputies was a logical step because half its members were from the West Bank, which was no longer regarded as Jordanian territory.

### **3.4. The 1986 Electoral Law**

With a few later amendments, the 1986 Electoral Law has laid down the basis for democracy in Jordan. In introducing equal representation between the two Banks of Jordan, this law has become the most important law in the country to date.

On November 2, 1985 King Hussein announced a forthcoming change to the Election Law to the Chamber of Deputies, and reiterated the need for a return to democracy. The King stated that "true democracy should be founded on the principle of popular participation in the political decision-making process in the country".<sup>(61)</sup> Following the King's speech from the throne, a committee was established by the Prime Minister to formulate the individual clauses of the new electoral law. The committee was composed of the Prime Minister and his deputy, the Minister of Justice, the Minister of the Interior, and two non-cabinet members.<sup>(62)</sup> After a short period working on the new electoral law, the law was submitted to the Chamber of Deputies' legal committee, which met between January 7 and March 25, 1986, to consider the validity of the law's clauses.<sup>(63)</sup>

The new law went before the Chamber of Deputies on March 27, 1986 to be approved by the Chamber members. The debate in the Chamber took less than two hours, with one amendment accepted by the Prime Minister, Zaid al-Rifa'i. This amendment was in Article [18] paragraph [E], which said that members of illegal political organisations would not be allowed to run in parliamentary elections. This paragraph was changed such that it specified that illegal parties referred to those organisations whose goals contradicted the Jordanian Constitution.<sup>(64)</sup> Article [18] paragraph [E] explained the restriction on an individual's candidature as follows, "That he does not belong to an unlawful organisation, defined as any party or organisation whose principle, objectives and aims contradict the provisions of the Constitution".

The law was issued on May 17, 1986 in the Jordanian Official Gazette. According to the new electoral law, the members of the Chamber of Deputies would increase from 60 to 142 members. Seventy-one seats would be allocated to the East Bank representatives, and eleven seats to the Palestinian refugee camps on the East Bank, with the latter seats being considered part of the seventy-one seats allocated to the West Bank.<sup>(65)</sup> Moreover, the voting age was reduced from 20 to 19, which would significantly increase the electorate.

Due to the occupation of the West Bank, the election process for the sixty West Bank members in the Jordanian parliament was to be carried out in two ways: first, thirty deputies would be chosen by the 82 directly elected members from the East Bank including the refugee camps' deputies, then the remaining thirty West Bank deputies would be chosen by the 112 members of parliament.<sup>(66)</sup>

As the 1986 Election Law led the basis for the parliamentary democratic system which developed, it is necessary to discuss the law in depth. The 1986 Election Law was composed of nine chapters with seventy-five Articles.<sup>(67)</sup> [see Appendix 5] These chapters related to:

1. Definitions.
2. The right to vote.
3. Electoral lists.
4. Candidature for membership of the House of Deputies.
5. Constituencies and their allotted seats.
6. Election procedures.
7. Canvassing votes and announcing election returns
8. Election publicity.
9. Election crimes.

Chapter one supplied definitions of important words and expressions, wherever they appeared in this law. According to Article [2] in this chapter, "every person, male or female, who has acquired Jordanian nationality in accordance with the provisions of the Law of Jordanian Nationality" could vote.

Chapter two described the people who were entitled to vote according to Article [3] paragraph [A]. It established the principle that anyone aged 19 or over was entitled to vote unless otherwise stated, "Every Jordanian who has completed 19 solar years of his age has the right to elect members of the House of Deputies if his name is registered in one of the Final Electoral Lists".

The Electoral Law prohibited the exercise of the right to vote by those who had been sentenced to prison for a period of more than one year for non-political crimes and had not been pardoned. Moreover, people who had been sentenced on charges of bankruptcy and had failed to redeem their status, were to be denied the right to vote.

Article [3] paragraph [B], explained the prohibited categories as follows:

1. Anyone who has been sentenced to a prison term exceeding one year for a non-political crime and has not been pardoned.
2. Anyone who has been declared bankrupt and has not been rehabilitated.
3. Anyone who has been interdicted for his person and the interdiction has not been lifted, or for any other reason and the interdiction has not been lifted.(sic)

In an apparent attempt to separate the military from political life in Jordan, Article [5] prohibited members of the Jordanian Armed Forces from participating in the election if they were still in service. This was stated as, "the right to vote is denied to members of the Jordanian Armed Forces, Public Security and Civil Defence throughout their actual service".

The law sought to eradicate the possibility of cheating, by stating that voters could only register once and therefore only vote once. Chapter three, which dealt with electoral lists, explained the method by which election lists were to be drafted and the procedures for the registration of these lists. Article [6] stated:

Electoral Lists shall be compiled for every Constituency, in which are included names of Electors, who belong to that Constituency or reside habitually therein, no Elector may be registered in more than one Electoral List.

Provisions were made for objections to the electoral list and a revision committee was established which would consider both objections and alternative proposals. After the Revision Committee had concluded its work and the electoral lists had legal status, the



Revision Committee would provide the Ministry of the Interior with a copy of the final lists which were to be kept safe from tampering. Article [15] stated:

After the Electors Lists have achieved their legal status, because there were no objections against them in accordance with the provisions of Article (13) of this Law, or because the decisions or objections against them have become final in accordance with the provisions of Article (14) of this Law, the revision Committee shall compile for every Constituency final Electors lists of all Electors in the concerned Department. The Committee shall send a copy of these final lists to the Ministry of the Interior for safekeeping.

The Electoral Lists, which were to be organised in a final form according to the provisions of the Electoral Law, would be used for any Jordanian elections during a given year. Article [16] stated, "The Electoral Lists compiled in final form in accordance with the provisions of Article [15] of this Law shall be adopted for the general parliamentary elections or by-elections that are conducted during any year".

Chapter four explained the conditions which candidates were required to meet in order to be able to run in the elections. Article [18] described these conditions as follows:

- A. That he has been a Jordanian national for at least ten years and that he does not claim foreign nationality or protection.
- B. That he is an Elector registered in one of the final Electors Lists.
- C. That he has completed thirty solar years of his age on the day the candidature period ends.
- D. That he has not been sentenced to a prison term exceeding one year for a non-political crime from which he has not been pardoned, and that he has not been convicted of a moral felony or misdemeanour.
- E. That he does not belong to an unlawful organisation, defined as any party or organisation whose principles, objectives and aims contradict the provisions of the Constitution.
- F. That he does not have a material interest in any of the Government departments by virtue of a contract, other than contracts of land and property tenancy. This does not apply to anyone who is a shareholder in a company owned by more than ten persons.
- G. That he is not a relative of the King to a degree specified by special legislation."

There was a desire to maintain the boundaries between the legislative power of the government and its administration by the various branches of the civil service, both at the local and national level. Government employees, ministries, employees of international organisations, and chairmen of municipal and rural councils who received their salaries from the Government's Treasury, were not entitled to run in the election unless they had submitted their resignations from their post at least one month before the actual date of the elections. Article [20] stated:

Employees of Government Ministries and Departments and official public organisations who draw their salaries from the Government's Treasury or public funds subject thereto or supervised thereby, as well as employees of international organisations and chairmen of municipal and rural councils, may not nominate themselves for membership in the House of Deputies, unless they have submitted their resignations from their positions at least one month prior to the date designated for the election. The concerned official department may accept or deny the resignation, but it shall be considered accepted by force of law if no decision has been taken thereon within the days of the date of submission thereof.

Article [21] stated that nomination for candidacy for membership in the Chamber of Deputies would start twenty-five days before the election day and nomination would continue for three days, "Candidacy for membership in the House of Deputies shall start twenty-five days before the day designated for the election and shall continue for three days; no candidacy shall be accepted after the expiry of this period".

Article [22] paragraph [A] declared that every person who was willing to nominate himself or herself for membership in the Chamber of Deputies would have to pay 500 Jordanian dinars to the Treasury.

Anyone wishing to nominate himself for membership in the House of Deputies shall pay to the Treasury Director in the Constituency in which he wishes to nominate himself the amount of (500) five hundred dinars which shall be entered as income for the Treasury and shall not be returnable under any circumstance.

Article [30] stated that a candidate would be able to withdraw his candidacy from the election up to the end of the day prior to the election day.

Chapter five determined the country's constituencies and their allocated seats. According to Article [31], the Hashemite Kingdom of Jordan was to be divided into twelve electoral areas, with the election of one hundred and forty-two members from both the East and West Banks, each securing half of the Chamber of Deputies' seats. Table 3.7 shows the governorate, their constituencies and the distribution of seats.

**Table 3.7: Governorate, Constituencies and Distribution of Seats**

No.	GOVERNORATES	DISTRIBUTION OF SEATS			
		M	C	CI	Total
<b>1</b>	<b>AMMAN</b>				
1.1	City of Amman	5	1	1	7
1.2	Al-Assima governorate (Except City of Amman Area (A) and (B))	3			3
1.3	Wadi al-Seer District	1		1	2
1.4	Sahab, Muwaqqar and Jiza District (except the Central Bedouins)	1			1
1.5	Na'our District	1			1
1.6	Madaba District	1	1		2
1.7	Dhiban district	1			1
1.8	Al-Wihdat Camp in Amman	1			1
1.9	Jabal al-Hussein Camp in Amman	1			1
1.10	Al-Mahatta Camp	1			1
1.11	Talbiyya Camp	1			1
<b>2</b>	<b>JERUSALEM</b>				
2.1	Jerusalem City with Jericho District	6	4		10
2.2	Ramallah District	6	2		8
2.3	Bethlehem District	4	4		8
<b>3</b>	<b>IRBID</b>				
3.1	Irbid Governorate	7	1		8
3.2	Irbid Camp	1			1
3.3	Al-Husn Camp	1			1
3.4	Ajloun District	2	1		3
3.5	Jerash District	2			2
3.6	Jerash Camp	1			1
3.7	Souf Camp	1			1
3.8	Ramtha District	1			1
3.9	North Ghor District	1			1
3.10	Koura District	1			1
3.11	Bani Kinanah District	2			2
<b>4</b>	<b>NABLUS</b>				
4.1	Nablus City and District	12			12
4.2	Jenin District	6			6
4.3	Tulkarm District	6			6
<b>5</b>	<b>HEBRON</b>	<b>10</b>			<b>10</b>
<b>6</b>	<b>BALQA</b>				
6.1	Al-Salt City and Zai District	3	1		4
6.2	Balqa Governorate (except al-Salt City and Zai District)	2	1		3
6.3	Baqa' Camp	1			1
<b>7</b>	<b>KARAK</b>				
7.1	Karak Governorate	3	1		4
7.2	A'y District and Al-Safi District	1			1
7.3	South Mazar District	3	1		4

**Table 3.7: Governorate, Constituencies and Distribution of Seats (Cont.)**

No.	GOVERNORATES	DISTRIBUTION OF SEATS			
		M	C	CI	Total
<b>8</b>	<b>MA'AN</b>				
8.1	Ma'an Governorate (except southern Bedouin)	2			2
8.2	Aqaba District	1			1
8.3	Shobak District	1			1
8.4	Wadi Mousa District	1			1
<b>9</b>	<b>ZARQA</b>				
9.1	Zarqa Governorate	2	1	1	4
9.2	Zarqa Camp	1			1
9.3	Hittin Camp	1			1
<b>10</b>	<b>MAFRAQ</b>	2			2
<b>11</b>	<b>TAFILEH</b>	3			3
<b>12</b>	<b>BEDOUIN REGIONS</b>				
12.1	North Bedouin	2			2
12.2	Central Bedouin	2			2
12.3	Southern Bedouin	2			2
	<b>TOTAL</b>	<b>120</b>	<b>19</b>	<b>3</b>	<b>142</b>

M. Muslim, C. Christian, CI. Circassian and Chechen

Source: Law of Election to the House of Deputies, No. 22, 1986. pp. 27-29.

Chapter six laid down election procedures and how the elections were to be conducted.

It described the procedure of electing deputies and the role of the Ministry of the Interior in the elections. Article [32] stated: "Voting to elect the deputies shall be general, secret and on one level". Article [33] explained the timing of election days and the Ministry of the Interior's role in this:

Voting for the election of members of the House of Deputies shall be conducted on the same day for all the Constituency. The Minister of the Interior, however, may designate a special day for every Constituency, or any number thereof, if the safety of the election and the public interest necessitated such action.

According to Article [35], the Ministry of the Interior was to issue a voting card for every voter, containing the necessary information taken from the family book. The family book is an identity paper containing detailed information on the elector:

The Minister of the Interior shall issue a Personal Election Card to every Elector, containing a photograph of the Elector, the complete particulars of his identity taken from the family Book issued by the Department of Civil Status, his Constituency, the Polling Centre in

which he may vote, and his number in the List of Electors in the Centre. The Personal Election Card shall be valid for the period, circumstance and conditions decided by the Minister of the Interior in the Card itself, or in accordance with any instructions he may issue thereon.

Votes could be cast in two ways. Literate people would write the name of the candidates of their choice on a paper given to them by the chairman of the balloting panel. This was printed with the phrase "Ministry of the Interior", and stamped with the seal of the district, which then had to be signed on the back by the chairman of the balloting centre, and returned to the ballot box. Article [46] paragraph [B] described how illiterate people were to vote in the election as follows:

An illiterate Voter may ask the Chairman of the Balloting panel to write the name of the candidates the Electors wishes to elect; after having written down the name, the Chairman shall read the name out within earshot of the Balloting panel.

Chapter seven described the polling process and the announcement of the election results. After the completion of the voting process, the Voting Committee was to organise a report, signed by the candidates or their delegates. The report was to include the number of registered voters, the number of actual voters, the number of voting papers received by the balloting panel, and the number of used and unused voting papers. Article [48] stated:

- A. Following the completion of the polling process, the Balloting Panel shall minute a record to be signed by the candidates and their delegates who are present and wish to do so; the record shall include the following:
  - 1. The number of registered Electors in the Electoral List in the Polling Centre.
  - 2. The number of Electors who exercised their right to vote.
  - 3. The number of Ballot papers received by the Balloting Panel.
  - 4. The number of Ballot Papers used in the voting, the number of those unused, and the number of those destroyed and the reason for such destruction.
- B. The record mentioned in Paragraph (A) of this Article together with the unused Ballot Papers, shall be placed atop the upper side of the Ballot Box and wrapped therewith with a piece of

cloth sealed with a knot to be stamped with the seal of the Balloting panel.

- G. The Balloting panel shall transport the Ballot Box with the its three keys, as well as the Panel's seal and the Electoral List, to the Constituency headquarters, where it shall deliver same to the Central Committee against an official receipt thereof signed by the Central Committee Chairman.

The Central Committee was to count the votes received by each candidate in the electoral constituency, with the result announced openly in the presence of the candidates or their delegates. The committee was to organise a report to be sent to the Ministry of the Interior to keep for a period of at least six months (Article 56). The candidate in the election who received the largest number of votes would be declared the winner. However, if two candidates in the same constituency received the same number of votes the election would be repeated not later than seven days from the actual date of the election (Article 57). The general election result would then be announced by the Minister of the Interior not later than two days after the arrival of the central committee report (Article 58).

Chapter eight covered election publicity, declared as free according to the provisions of this law. All candidates were entitled to election publicity from the beginning of the nomination period until the eve of the election day. Electoral meetings and speeches were prohibited in places of worship, learning institutions, and government buildings.

Article [60] stated:

- A. According to the provisions of this law, Election publicity shall be free and every Candidates may resort thereto from the date of the beginning of the candidature period until the day immediately preceding the day designated for the Election, on which any kind of Elections Publicity is prohibited and subject to the penalties provided for this Law.
- B. The organisation and convening of Electoral meetings and the delivery of electoral speeches is prohibited in places of worship, institutions of learning and buildings occupied by Government ministries and department and official public institutions or those under the supervision of the Government.

Candidates could issue publications and advertisements containing their aims and objectives and a statement of their plans and programme. These would be exempt from government fees.(Article 61)

The new electoral law maintained the principle of equal seats between the two Banks of Jordan. This principle was implemented in parliamentary life according to the 1960 electoral law, which allocated 30 seats to the East Bank and 30 seats to the West Bank. Moreover, the new electoral law also maintained a specific number of seats for minorities. As before, the Bedouins were given a specific number of seats in their areas. Despite all the effort involved, the new electoral law never had the chance to function because of King Hussein's decision on July 31st, 1988 to dismantle the legal and administrative links with the West Bank.

## **Conclusion**

The period from 1967 to 1984 was dominated by two events, the 1967 war which resulted in the loss of the West Bank to Israel and the 1974 Rabat conference which recognised the PLO as the sole legitimate representative of the Palestinian people. As the political process was based on equal representation of both Banks in the Chamber of Deputies, these events made it difficult for the parliamentary system to operate. Consequently, the Chamber of Deputies only met between 1967 and 1984 at the express wish of the King when constitutional amendments were needed.

This led King Hussein to make a number of attempts within the constitution to allow public participation in the functioning of the political process. These were the Jordanian National Union (Oct 1971-Feb 1976), the Tribal Council (Sept 1972-July 1973) and the National Consultative Council (April 1978-Jan 1984). The monarchy's aim in creating these bodies was to utilise the country's political institutions to mobilise the support for royal policies, as there had not been a general election since 1967. The



King's decision to recall parliament in 1984 represented an attempt to implement orderly political change and to scale down the growing dissatisfaction and grievances of the Jordanian people.

Consequently, political parties did not play any significant role in Jordanian political life in this period. From 1971, many attempts were made by Jordanian figures to form new political parties, but they were not approved by the government. Political parties in the 1984 by-elections did not exist openly, nor did they play any practical role during the election campaign. However, the electorate did recognise individual candidates as belonging to specific political trends. The only legal organisation in Jordan at the time of the 1984 by-elections was the Muslim Brotherhood, although its candidates did not run as members of the movement. It was only after 1989 that genuine democratic participation began in Jordan.

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## **CHAPTER FOUR**

### **THE INITIATION OF POLITICAL LIBERALISATION; 1989**

#### **Introduction**

In November 1989 the Hashemite Kingdom of Jordan witnessed free parliamentary elections for the first time in more than thirty-two years. These parliamentary elections were conducted with the full participation of groups and individuals from across the political spectrum, including Islamists, Leftists and Pan-Arab Nationalists, and Centrist. The 1989 elections were Jordan's first general parliamentary election since the 1967 war. The success of the political experiment in Jordan owes a great deal to King Hussein's strategy of including all groups willing to abide by the new rules.

The King's decision to resume parliamentary life in Jordan in 1989 can be linked to three major events: the disengagement from the West Bank in 1988; the severe economic crises faced by Jordan in mid-1988, which resulted in an agreement with the International Monetary Fund (IMF) on April 16, 1989 to reschedule Jordan's relatively large foreign debt; and the outbreak of riots in southern Jordan a few days after this, in the wake of new austerity measures imposed in accordance with IMF requirements. Together these factors brought about the decision to hold parliamentary elections.

This chapter focuses on an analysis of the factors which pushed King Hussein to open the political system and initiate the political liberalisation process. It also includes an examination of the 1989 elections, the political trends, candidates' platforms, and the result of the elections.

#### **4.1. The 1989 Elections: Factors and Catalysts**

As already indicated, the 1989 parliamentary elections came about as a result of three major causes: the disengagement from the West Bank; the economic downturn from the mid-1980s; and the "food riots" in Ma'an in April 1989. Each of these factors will be discussed in turn.

##### **4.1.1. The Disengagement from the West Bank, 31 July 1988**

On July 31, 1988, in his address to the nation, King Hussein announced his decision to dismantle the legal and administrative links between the two banks of the Hashemite Kingdom of Jordan and relinquish any Hashemite claims to the territory lost in the June 1967 war.<sup>(1)</sup> King Hussein emphasised his decision to aid the Palestinian 'national adjustment', and stressed the link with what had been decided at the 1974 Rabat conference. He stated:

This is all the more important at this juncture when we have initiated, after seeking God's assistance, and in light of thorough and extensive study, a series of measures with the aim of enhancing the Palestinian national orientation and highlighting the Palestinian identity. Our objective is the benefit of the Palestinian cause and the Arab Palestinian people ... We are certain that our decision to initiate these measures does not come as a surprise to you. Many among you have anticipated it, and some of you have been calling for it for some time. As for its contents, it has been, for everybody, a topic for discussion and consideration since the Rabat Conference.<sup>(2)</sup>

The King's decision to sever links with the West Bank came as a response to the wishes of the Palestinian Liberation Organisation (PLO) to be recognised as the sole legitimate representative of the Palestinian people. It is important to mention here that the Arab summit conferences which had followed the Rabat Summit (especially the Fez Summit of 1982 and the Algiers Summit of June 1988) had called for the establishment of an independent Palestinian state in the West Bank and Gaza Strip under the leadership of

the PLO to highlight Palestinian identity in a complete manner and as a basis for a peaceful settlement.<sup>(3)</sup> To show respect for and appreciation of these summit resolutions, Jordan consequently relinquished its claims and severed all legal and administrative links with the West Bank.

Jordanian citizens of Palestinian origin in the Kingdom retained the full right of citizenship with all its obligations. King Hussein stated their right to citizenship in his speech as follows: "They [Palestinian Jordanians] are an integral part of the Jordanian state. They belong to it, they live on its land, and they participate in its life and all its activities".<sup>(4)</sup> In addition, those Palestinians living on the West Bank before July 31 would be regarded as Palestinian and not Jordanian citizens. There were, however, changes to the passports which West Bankers were eligible to carry. When West Bankers' passports expired after five years, they were to be replaced by temporary two-year passports.<sup>(5)</sup> The Jordanian parliament was also affected by the decision to disengage, since half its members, representing the West Bank, lost their membership.

From 1967 to 1988 Jordan held the view that elections could not be held while a major portion of its territory was under Israeli occupation. However, the disengagement decision made it possible for Jordan to return to parliamentary life, since a major obstacle blocking the way towards general parliamentary elections had been removed.

On August 30, 1988, King Hussein issued a royal decree dissolving the Lower House of Parliament. The King gave an assurance that parliament would be re-instated as an institution accountable to the people. His objective was to re-build parliament in the East Bank only, thereby giving substance to the separation of the West Bank.<sup>(6)</sup>

#### **4.1.2. The Economic Crisis and the IMF Deal**

The economic problems faced by Jordan seem to have created a direct impetus for the initiation of the process of democratisation. The 1980s saw a decline in the economic boom witnessed in the 70s and early 80s, and left a severe economic problem for Jordan. Greater public participation in government became a political necessity. As the standard of living began to decline, demands for wider public participation were more frequently voiced.<sup>(7)</sup>

The economy declined gradually, reaching its lowest point in April 1989. The collapse of the Arab oil market in the early 80s and the substantial fall in oil prices had severe economic and political consequences for the country. Petro-dollar foreign aid and worker remittances, Jordan's two most important sources of income, fell dramatically between 1981 and 1987, from about US\$2.3bn. to US\$1.5bn. During the same period, the share of external grants in government expenditure fell from more than one third to less than one sixth.<sup>(8)</sup>

Despite this substantial decline in income, the government was averse to cutting expenditure, which would have meant a withdrawal of economic benefits used to co-opt support for the regime. Instead, state expenditure continued to increase at an average of over 6 per cent per year, resulting in a chronic and slowly increasing budget deficit. By 1987 this had grown to JD298 million (US\$880m), almost one-half of the expenditure and more than 25 per cent of the GDP.<sup>(9)</sup> In order to finance the national budget, the government resorted to both domestic and external borrowing. The external debt grew rapidly and became increasingly difficult to handle. By 1989, Jordan's real external debt amounted to US\$8.4bn. representing more than twice the country's total GDP.<sup>(10)</sup>

From mid-1988, the economic crisis worsened further. In early November 1988, the government implemented its first major austerity programme including a ban on a whole



range of luxury imports, freezing spending on development projects, and sharply raising fees for foreign worker permits, custom duties, and taxes on hotels and restaurants. Finance Minister Hanna Audah announced these measures and claimed that this austerity programme would save the Kingdom \$200 million in foreign currency by the end of 1989 and "shift Jordan from a consuming to a producing society".<sup>(11)</sup>

These austerity measures however, failed to remedy the economic crisis. Within days, speculative trading pushed the dinar even lower. Throughout 1988, the Jordanian dinar had experienced a sharp decline against the US dollar, losing 45 per cent of its value. On February 8, 1989, the government invoked martial law powers to close down all the country's private money-changing offices, which operated on the margins of Jordan's banking regulations, in an effort to stabilise the value of the Jordanian dinar. Money changers had been trading dinars at around 660 fils to the dollar, compared to the official rate of the Central Bank of Jordan (CBJ) of 570 fils (as opposed to 380 fils in October 1988), amidst speculation that Jordan intended to reschedule its debts and seek assistance from the IMF.<sup>(12)</sup> GDP decreased in 1988 by an estimated 3.5 per cent, and zero-growth was predicted for the following year. Unemployment grew as job opportunities in the Gulf were reduced, in 1987 alone about 35,000 Jordanians returned home. By 1989 the official unemployment figure was about 12 per cent.<sup>(13)</sup>

In February 1989, the government of Jordan was unable to meet its debt payment for the first time in its history. King Hussein and Prime Minister Zaid al-Rifa'i were reluctant to approach the IMF because of the possible political ramifications. By that time, Jordan was already \$185 million in arrears on external debt payment, \$77 million of which was interest.<sup>(14)</sup>

On March 17, 1989, an IMF team arrived in Jordan to look into rescheduling the country's foreign debt and restructuring the economy. On 23 March, during the talks between Jordan and the IMF team, the government announced that the Tornado strike

fighter aircraft purchase valued at about \$688 million from the UK, would be suspended indefinitely. This move was symptomatic of the precarious financial state of Jordan and showed the need for the government to tighten the purse strings as it sought agreement for a standby credit from the IMF.<sup>(15)</sup>

On April 16, 1989, the government reached an agreement with the IMF. Its main purpose was to reduce steadily the budget deficit from 24 per cent of GDP (excluding external grants) in 1988 to 10 per cent at the end of the process. Real GDP growth was expected to revive, reaching 4 per cent by 1993. Export earnings were to increase from a projected \$1.1bn. in 1989 to \$1.7bn. in 1993. Foreign reserves excluding gold were to be replenished to the level of \$500m., to cover three months of imports. Inflation was to be brought down from the official estimate of 14 per cent in 1989 to 7 per cent in 1993.<sup>(16)</sup>

The readjustment programme sought first to restore and then increase the rate of economic growth while maintaining relative price stability, and to bring about substantial improvements in both the budget deficit and the balance of payments. According to the IMF agreement, the government would adopt a five-year economic stabilisation programme (from 1989 to 1993), which would entail the adoption of more careful borrowing policies, the strengthening of foreign reserves, the promotion of exports, remittances, and tourism, and the elimination of the external current account deficit.<sup>(17)</sup> The Economist Intelligence Unit, in its Jordan Country Report No 3, 1989, quotes Hanna Audah, Jordanian Finance Minister, who listed the specific policy components as follows:

1. A reduction of the budget deficit from about 24 per cent (excluding external grants) of GDP in 1988 to 10 per cent in 1990, or 6 per cent if external grants are included.
2. A reform of the tax system, including a study of the existing regime which should help to make it more flexible. Steps to introduce value added tax (VAT) will be made next year, to be applied by 1991.

3. A tight credit policy to reinforce the government's budgetary measures. The increase in net domestic assets as a percentage of the initial money stock will be reduced from 14 per cent in 1988 to 9 per cent in 1989. Net claims on the government will be reduced from 11 per cent to 5.5 per cent during the same period. Further reductions are envisaged for 1990.
4. A more prudent debt management and borrowing policy will be adopted. Ceilings will be placed on the contracting of new non-concessional public and publicly guaranteed loans.
5. The rate of inflation is to be brought down from its official estimate of 14 per cent in 1989 to 7 per cent by 1993.
6. On the external front, the government will aim at improving the balance on the current account from a deficit representing 6 per cent of GDP in 1988 to a balanced position in 1993. The country's foreign reserves (other than gold holdings) are to be built up to cover three months worth of imports.<sup>(18)</sup>

Jordan's dealings with the IMF thus required serious deficit reduction measures, in keeping with budget-balancing goals. On April 16, 1989, the government removed subsidies on a number of basic products, thus increasing prices on a wide range of goods including rises of 11-28 per cent on petrol products, alcoholic prices were raised 40-50 per cent, cigarette prices 25 per cent, soft drinks and mineral water increased by 18 per cent, detergents by 25 per cent, and steel bars increased by 67 per cent. More importantly, cooking gas gasoline, diesel fuel and kerosene, increased by 10 per cent to 30 per cent.<sup>(19)</sup> These measures were supposed to contribute to a decline in the budget deficit from 23.7 per cent of GDP in 1988 to 19.6 per cent in 1989. Moreover, the government reduced all subsidies for production and exports.<sup>(20)</sup>

As a result of the economic crisis, the King found himself at a cross-roads. Abolishing the austerity measures could buy him some time, but would not provide a lasting solution. Alternatively, he could implement the measures by force which would entail greater authoritarianism and popular antagonism. Thus, the only real option available to him was to seek popular support for the necessary economic reforms through a political process with promises of democratisation and political freedom.<sup>(21)</sup>

#### **4.1.3. The April Riots of 1989**

Immediately following the announcement of the IMF agreement in which the Jordanian government declared an increase in prices on a wide range of goods as part of an economic adjustment plan, disturbances broke out in Ma'an, in the south of the country. For four days, protests spread across the country to Karak, Tafileh, Madaba and as far as al-Salt, about 20 miles from Amman. Protesters chanted slogans against al-Rifa'i government's alleged mismanagement of the country, charging officials with wanton corruption and an uncaring attitude.<sup>(22)</sup> The protests were only quelled by bringing in Jordanian security forces. Twelve people were killed and several others were injured, and millions of dollars of damage to property was done.<sup>(23)</sup>

The significant feature of the 1989 disturbances, which had originated in the south of the Kingdom, was that it was the East Bank Transjordanians, long considered the bedrock of the Hashemite family's popular support, who had risen in protest, and not the Palestinians.<sup>(24)</sup> The latter, along with Jordan's professional organisations, did little more than send a petition to the Palace urging it to reconsider the austerity programme and to dismiss the Prime Minister, who was personally attacked as the man responsible for the Kingdom's economic crisis.<sup>(25)</sup>

The political stability of Jordan was under threat. On April 19, community leaders from Karak submitted an appeal to the authority outlining a list of demands. These demands included the resignation of Prime Minister Zaid al-Rifa'i; a change in the electoral laws away from protected minority representation; the punishment of officials convicted of corruption; the granting of broader political freedom; freer press and greater democratisation; the revocation of the austerity measures and price increases; and the formulation of a national economic programme. The demands were endorsed by other towns and villages, and in several places the demands were expanded to include the termination of martial law which had been in operation since 1967, and the granting of

financial support to small farmers.<sup>(26)</sup> In addition, the elected leaders of the country's professional associations endorsed the community leaders' demands by making public a telegram to Crown Prince Hassan who had been placed in charge during King Hussein's visit to Washington. It read in part:

This small country, whose very entity is threatened, is looking forward to a change in the leadership's attitude. Consecutive governments were able to convince themselves that every criticism directed at the government was actually aimed at the leadership, which enabled the government to claim the leadership's full endorsement of its behaviour.... Consequently governments have shrunk in role and influence, yet at the same time have grown in tyranny. They stopped depending on their efficiency. Instead they were hiding under the umbrella of his Majesty the King, capitalising on the King's popularity ... while exploiting this without adding any assets .... It is our advice that if the situation remains the way it is, the King's credibility, which constitutes the basis of national unity, will be undermined.<sup>(27)</sup>

Although the slogans of the disturbances were targeted against Rifa'i's government and not against the King, the monarchy could not help but realise the depth of the dissatisfaction with the country's political and economic management. The King took steps to meet all of the rioters' demands save one. The regime was determined not to step back from the austerity programme that had served as a catalyst to the riots in the first place.<sup>(28)</sup>

The first measure, carried out on April 24, 1989, was King Hussein's dismissal of Prime Minister Zaid al-Rifai's government, which had been widely blamed for the economic crisis.<sup>(29)</sup> "He has achieved much and it is unfair to burden him with the government's negative responsibilities," said King Hussein of al-Rifa'i, adding that "he was able to carry out his duties the way we wanted him to".<sup>(30)</sup>

King Hussein replaced Zaid al-Rifai's government with an interim government under the leadership of the chief of the Royal Court, Sharif Zaid Bin Shakir who had a solid reputation for honesty and wisdom.<sup>(31)</sup>

King Hussein's letter of appointment to his new prime minister on April 28, 1989, called upon the government to bridge the gap between the authorities and the people; to prepare for a return to parliamentary life in Jordan; to establish continuity between government and the public within the frame of dialogue through direct communication or through the media; to create popular enthusiasm towards the democratic process; to support freedom of journals and magazines; to end favouritism and corruption; to implement administrative and economic reforms; to improve conditions for trade unions; to establish social justice; to consolidate decentralisation in all districts; to halt the politicisation of religion; to establish national unity; to give special attention to young people, to the public and to individual behaviour; to encourage the private sector; to promote health services; to promote education development; to keep the environment clean; and to consolidate Arab solidarity.<sup>(32)</sup>

As a second measure in response to the rioters' demands, the government took steps to restore confidence in the dinar. The most important of these was the appointment of Basil Jardanah as Minister of Finance on April 27, 1989 and the reappointment of Dr. Muhammad Sa'id al-Nabulsi on May 29, 1989 as the new Central Bank Governor, after years out of office. Al-Nabulsi and Jardaneh introduced a series of sound reform measures aimed at stabilising the dinar, bolstering the central bank's currency reserves, rationalising the use of foreign exchange, and reaching agreements with the lending agencies and states.<sup>(33)</sup> The Jordanian government received millions of dollars in emergency aid from Saudi Arabia and other Gulf States, which was very important to the short-term stability of the Jordanian dinar.<sup>(34)</sup>

The most important aspect of the regime's response to the April 1989 disturbances, however, was its decision to soften the blow of the IMF adjustment plan by moving towards domestic political liberalisation. Instead of imposing more restrictions, the King decided to initiate political reform and democratisation. His aim was for the democratisation process to legitimise the monarchy as well as to guide the country

through a period of economic restructuring.<sup>(35)</sup> On April 26, 1989, the King declared that the elections would be held before the end of the year and that a new parliament would convene to represent the public interest.<sup>(36)</sup>

Immediately upon taking office, Bin Shakir together with the King undertook to prepare the ground for the difficult transition phase, and to break the link between economic and political privation, paving the way for the first general parliamentary elections in the country since 1967.<sup>(37)</sup> That process of liberalisation was emphasised by the resumption of parliamentary life as an outlet for political dissatisfaction.

#### **4.2. Run-up to the 1989 Elections**

The general parliamentary elections, to be held on November 8, 1989, were officially announced by the government on August 16, 1989. The government had already begun, however, to open the way for political freedom as well as freedom of opinion and expression. For the first time, on May 10, 1989, the King spoke about a National Charter which would represent a national code of conduct and ultimately legalise the establishment of political parties in Jordan. In his speech, he announced the easing of restrictions on the media. The first sign of this came on May 15 when the government allowed five previously banned journalists to resume their work.<sup>(38)</sup> Matters related to the process of liberalisation, such as those which concerned limits on free expression and the establishment of political parties, also started to receive critical attention in the press. Moreover, on May 21, the government freed thirteen people, mainly university students, who had participated in the disturbances.<sup>(39)</sup> This dynamic development was repeated in July, when the King released a number of those who had been detained for their role in the disturbances, as well as authorising an amnesty for 19 political prisoners.<sup>(40)</sup> On September 1, 1989, sixty more political detainees linked to the April disturbances were released.<sup>(41)</sup>

However, the most pressing question which concerned the people who had in the past been affiliated with particular political parties or organisations, was whether they would be allowed to run for election. Paragraph [E] of Article [18] in the electoral law in effect banned any person with a "political past" to run as a candidate. This is stated as follows, "That he does not belong to an unlawful organisation, defined as any party or organisation whose principles, objectives and aims contradict the provisions of the Constitution".<sup>(42)</sup>

On October 17, 1989, the King suspended paragraph [E] of Article [18] in the 1986 Electoral Law and announced formally that no candidates would be prevented from running in the election. In practice, candidates with past political affiliations had been allowed to register as candidates even before this date. The formal move towards political liberalisation came just three weeks before the actual election day.<sup>(43)</sup> Although political parties officially remained illegal, all candidates who belonged to such parties and groupings simply ran for election as individuals.

#### **4.2.1. Changes in the Electoral Law**

Following the disengagement decision between Jordan and the West Bank on July 31, 1988, the electoral law had to be changed before elections could take place. It was no longer appropriate to have representatives from the West Bank in the Lower House, as Jordan now insisted on treating West Bank citizens as if they were already citizens of the state of Palestine. All seats allocated for the West Bank were abolished.<sup>(44)</sup>

The electoral law of 1986 went through two amendments. The first amendment was approved by royal decree on April 16, 1989, shortly before the disturbances broke out in the south of the country. The amendments cancelled the sixty-seat representation of the West Bank, along with the eleven Palestinian refugee camp seats. The Palestinian camp residents would be entitled to vote in the constituencies in which their camp was



located and were eligible to stand as candidates in the elections. Under this new system, the Lower House of Parliament would have seventy-one seats representing the East Bank constituencies.<sup>(45)</sup>

On July 8, 1989, the second amendment to the electoral law increased the number of seats from seventy-one to eighty seats. This allowed for the population increase and the re-zoning of districts.<sup>(46)</sup> The number of seats was increased in the major population centres: Amman changed from 17 seats to 21, Zarqa from 4 to 6, Irbid from 18 to 19, Balqa from 7 to 8, and Mafraq from 2 seats to 3.

According to Article [2] of the provisional law number 23 for the year 1989, which amended the Electoral Law of the House of Deputies, the Hashemite Kingdom of Jordan was to be divided into twenty electoral areas, with the election of eighty members. Table 4.1 gives details of the governorates, their constituencies and the distribution of seats.

**Table 4.1: Governorates, Constituencies and Distribution of Seats**

No.	GOVERNORATES	DISTRIBUTION OF SEATS			
		M	C	CI	Total
<b>1</b>	<b>AMMAN</b>				
1.1	First Constituency, including Basman, Marka and Tareq	3			3
1.2	Second Constituency, including Yarmouk, Nasr, Ras Al-Ain, and Badr	3			3
1.3	Third Constituency, including the City Centre, Zahran and Abdali	3	1	1	5
1.4	Fourth Constituency, including Al-Quwaismeh, Abu Alanda, Khreibet Al-Souq, Jawa, Al-Yadoudeh, Umm Qusair and Al-Muqablein, Al-Jizah and Al-Muwaqqar (Except Central Bedouin)	2			2
1.5	Fifth Constituency, including Shafa Badran, Abu-Nusseir, Al-Jubeiha, Suweileh, Tla'a Al-Ali, Umm Al-Summaq, Khaldah, Wadi Al-Seer and Na'our	4		1	5
1.6	Sixth Constituency, including Madaba and Dhiban District	2	1		3
<b>2</b>	<b>IRBID</b>				
2.1	Irbid City	8	1		9
2.2	Jerash District	2			2
2.3	Ajloun District	2	1		3
2.4	Ramtha District	3			3
2.5	Koura District	2			2
<b>3</b>	<b>BALQA</b>	6	2		8
<b>4</b>	<b>KARAK</b>	7	2		9
<b>5</b>	<b>MA'AN</b>	5			5
<b>6</b>	<b>ZARQA</b>	4	1	1	6
<b>7</b>	<b>MAFRAQ</b>	3			3
<b>8</b>	<b>TAFLEH</b>	3			3
<b>9</b>	<b>BEDOIN REGIONS</b>				
9.1	Central Bedouin	2			2
9.2	Northern Bedouin	2			2
9.3	Southern Bedouin	2			2
	<b>TOTAL</b>	<b>68</b>	<b>9</b>	<b>3</b>	<b>80</b>

M. Muslim, C. Christian, CI. Circassian and Chechen

**Source:** Law of Election to the House of Deputies, No. 22, 1986, and its Amendment, Amman, 1993, pp. 27-29.

The seats in the constituencies were not allocated proportionally, with the big urban constituencies containing more people than their rural counterparts. Furthermore, the Bedouin, Christian, Circassian and Chechen constituencies contained even less people.

Thus, the three major urban centres, (i.e. not bedouin) Amman with an estimated population of 1,207,838, Irbid with 414,769 and Zarqa, with 494,680, together made up a population of 2,117,287 out of a total of 3,370,867. These cities received only 36 of the total 80 seats, or 45 per cent of the seats, but accounted for 63 per cent of the population. Specifically, the second district of Amman with 73,435 registered voters received only three seats while the Ma'an district with 27,981 registered voters was allocated five seats. Similarly, Tafileh district with 21,908 registered voters, obtained the same seats as the second district of Amman. In other words, every deputy from Ma'an represented 5,596 voters, every deputy from Tafileh 7,303, while every deputy from the second district of Amman represented 24,478 voters. Similarly in the central Bedouin district only 18,155 registered voters were represented by 2 deputies. The reason for this imbalance in seats was due to the traditional support for the Hashemite regime from the rural, bedouin and minority groups.

Nonetheless, it must be pointed out that the amendment to the electoral law did reduce the over-representation of minorities in parliament. The Election Law of 1960 had given the Christian minority in the East Bank (estimated at 6 per cent of the total population) five seats out of thirty, while in the late amendment of the election law of 1989 they were allocated nine seats out of eighty, instead of 19 seats out of 142 as in the 1986 Election law. The Bedouin, Circassian and Chechen seats in the 1989 amendment remained unchanged, at 6 and 3 respectively.

#### **4.2.2. The 1989 Election: Candidates Nomination**

The candidates began to declare themselves informally, and to make clear their intention to stand for election, immediately after the government announced that November 8 would be the voting day. According to the Electoral Law of 1986, the right to nominate a person as a candidate in the election was afforded to all Jordanians over the age of thirty years, who had been Jordanian nationals for at least ten years, and were

being registered on one of the electoral lists. Anyone imprisoned for more than a year for a non-political crime, or who belonged to an unlawful organisation, or who had a material interest in government departments by virtue of a contract, or was a relative of the King was denied the right to vote. Article [18] stated this as follows:

- A candidate for Membership in the House of Deputies must meet the following conditions:
- A. That he has been a Jordanian national for at least ten years and that he does not claim foreign nationality or protection.
  - B. That he is an Elector registered in one of the final Electors Lists.
  - C. That he has completed thirty years of his age on the day the candidature period ends.
  - D. That he has not been sentenced to a prison term exceeding one for a non-political crime from which he has not been pardoned, and that he has not been convicted of a moral felony or misdemeanour.
  - E. That he does not belong to an unlawful organisation, defined as any party or organisation whose principles, objectives and aims contradict the provisions of the Constitution.
  - F. That he does not have a material interest in any of the Government departments by virtue of a contract, other than contracts of land and property tenancy. This does not apply to anyone who is a shareholder in a company owned by more than ten persons.
  - G. That he is not a relative of the King to a degree specified by special legislation.<sup>(47)</sup>

Official nomination of candidates for the election to the eleventh Chamber of Deputies took place during a three-day period starting on October 14, 1989, twenty five days before the voting day. Article [21] of the Election Law No. 22 for the year 1986 stated:

Candidacy for membership in the House of Deputies shall start twenty five days before the day designated for the election and shall continue for three days. No candidacy shall be accepted after the expiration of this period.<sup>(48)</sup>

The list of candidates in the 1989 elections reached a total of 647 candidates. There were over eight candidates vying for each of the eighty seats in the Lower House of Parliament. Candidates representing a wide range within the political spectrum,

including Islamists, Ba'thists (both pro-Iraq and Syria), Communists, Nationalists and Centrist, were allowed to participate. However, only those candidates with Muslim Brotherhood affiliations formally represented an organisation, as it was the only legal political organisation.<sup>(49)</sup>

Women stood as candidates for the first time in general elections since being given the right to vote in 1974. Out of the 647 candidates running for election, twelve were women candidates.<sup>(50)</sup> These women ran for election in seven constituencies, one in Amman first constituency, three in Amman third constituency, three in Amman fifth constituency, two in Irbid constituency, one in Balqa constituency, one in Zarqa constituency, and one in Ma'an constituency.<sup>(51)</sup>

The high number of candidates could be attributed to several factors: first, the 1989 election was the first in twenty-two years; second, popular feeling was strong for the resumption of a parliamentary body; third, many Jordanian citizens were able to participate in the political life for the first time; and fourth, the increased level of education.<sup>(52)</sup>

#### **4.2.3. The 1989 Election Campaign**

On October 17, the government announced that political party activists would not be prevented from standing for election. Most candidates started campaigning seriously once the ban had been officially lifted. Banners and posters of various candidates began increasingly to decorate cities, towns, villages, and refugee camps. Political seminars and meetings were held in the last three weeks before the election.<sup>(53)</sup>

#### **4.2.3.1. Candidates' Platforms**

The 647 candidates registered to contest the elections can be categorised into three major trends. The main political trends which participated in the elections were the Islamic trend comprising the influential Muslim Brotherhood and Islamic independents<sup>(54)</sup>, the leftists and pan-Arab nationalist trend which included the illegal Jordanian Communist Party (JCP), the Jordanian People's Democratic Party (JPDP), the Jordanian wing of the Democratic Front for the Liberation of Palestine, the pro-Iraqi and pro-Syrian Ba'thists and some former members of the Qumiyun Nationalist movement and independent Leftists<sup>(55)</sup>, and the centrist trend which included loyalist politicians, ex-ministers, former officials, and tribal leaders.<sup>(56)</sup> It is also important to note that within many of the individual constituencies there were informal arrangements between candidates to create blocs. This was an attempt to capture the "loyalty" vote attached to other members of the bloc.

In general, most political trends' electoral platforms related to similar issues, albeit with a different emphasis. The main issues related to political and economic corruption; freedom of expression including the abolition of martial law (in force since 1967); the legalisation of political parties (banned since 1957); the release of political prisoners and freedom of the press; economic issues including mounting unemployment, increase in prices, the national debt and the high level of government expenditure; Arab solidarity including the Arab-Israeli conflict and support for the *intifada*; and women's rights. There was a strong emphasis on women and the role of women in society by all candidates, regardless of their gender or political orientation.

##### **4.2.3.1.1. The Platform of the Muslim Brotherhood**

The Muslim Brotherhood's platform contained many elements similar to other trends, although it did contain several distinctive elements. It noted that the Brotherhood had been established in order to liberate the Islamic world from foreign domination and to

"apply the Islamic *Sharia*". Islam was to be the sole source of legislation and the solution to all the nation's political, social, economic and moral problems.<sup>(57)</sup> The electoral platform of the Muslim Brotherhood was concentrated around the following major issues:

1. The reconsideration of laws and regulations which were in effect in Jordan (i.e. martial law), calling for freedom of the press, of expression, of religion and the abrogation of all laws violating these rights.
2. The defence of citizens' rights and promoting their liberties according to provisions of the *shura* and the Jordanian Constitution.
3. They sought the right to form committees to direct the masses in accordance with the rules and morals of the Islamic *Sharia*. These committees would oversee all publications, banning those they considered harmful.
4. The right to form trade unions youth and student organisations.
5. The revealing of the causes of corruption and the prosecution of those responsible for corruption.
6. To reduce the commodities' prices to suit the citizens' income.
7. To study the issue of unemployment and make an effort to reduce its severity.
8. To define a number of educational goals which sought to expand education in quantity and quality in different stages.
9. To determine ways to reform the information process which includes reforms of programmes and employees.
10. To define a goal which guarantees the promotion of society through concentrating on achieving brotherhood and promoting the basic standards, child care, family protection, securing the basic needs for the citizens, and fighting against deviation.<sup>(58)</sup>

In addition, the Muslim Brotherhood candidates had individual electoral programmes in each district. For example, Shaikh Hamzah Mansur, a Muslim Brotherhood candidate from the fourth constituency (Amman), had an electoral manifesto which consisted of the following ten points, a number of which were included in the party platform.

1. To acknowledge full application of the Islamic *Sharia* as the only effective solution for our problems.
2. To enhance national unity and reject regionalism and sectarianism.
3. To emphasise the Arab and Islamic character of Palestine and consider Palestine as an Islamic endowment, not allowing it to

- give up any part of its land; *jihad* is the only means for liberating Palestine and supporting the *intifada*.
4. To reconsider the laws and regulations to conform with the Islamic *Sharia* according to Article 2 of the constitution (Islam is the official state religion).
  5. To follow an educational policy which aims to develop good character and expand university-level education.
  6. To pay attention to the media to make sure that it performs its task without violating Islamic instructions.
  7. To pay attention to the promotion of the armed forces as a vanguard of the Arab armies to attain the Prophet's promise (prophecy) of victory and liberation.
  8. To enhance trade unionism and youth movements and defend their members' interests in a climate of free expression.
  9. To follow an economic policy which encourages investment and fights against interest, bribery, nepotism, and monopoly.
  10. To enhance the status of both men and women to complement one another on an equal footing with dignity.<sup>(59)</sup>

A further example is that of Hammam Sa'id, Muhammad Abu Faris, and Dawud Qujaq, all Muslim Brotherhood candidates from the fifth constituency (Amman), who called in their manifesto for the following measures to be implemented:

Calling upon the government to respect public freedom and to abolish martial laws; making efforts to abolish all laws which contradict the Islamic *Sharia*; making efforts to mobilise the people for *jihad* in order to liberate Palestine; supporting the armed forces and raising their efficiency in planning, administration, training, and providing them with modern armaments; resisting the Jewish idea of the "alternative homeland" as stated by Sharon; bringing to trial those people who smuggled money and abused both the national economy and citizens; supporting the work force and solving the problem of unemployment; reclaiming agricultural land and supporting farmers; reforming the media who deviate from Islamic instructions; reforming education; reforming the health services; paying attention to women's affairs; regarding the Palestine question as an Islamic cause with no-one being forced to give up any part of their land; and supporting the *intifada*.<sup>(60)</sup>

Most candidates from the Muslim Brotherhood bloc included consideration of similar issues to those mentioned above in their platforms. 'Islam is the solution' was the most common slogan in the weeks which preceded the election. The Islamic independent candidates closely followed the Muslim Brotherhood platform.



#### **4.2.3.1.2. The Leftists' and Nationalists' Platforms**

The Leftists' and Arab Nationalists' platforms generally concentrated on issues of fair distribution of wealth, Arab solidarity and social justice. Their candidates called upon the government to give citizens more freedom of expression and to depend less on foreign countries. Women received special attention from the Leftist candidates who were concerned with protecting women's rights to work and equality. Fakhri Qawar (Nationalist), who campaigned in the third constituency (Amman), called for a national government which would make accountable officials responsible for previous economic corruption; implement economic policy to reduce inflation and unemployment; abolish martial law; decrease government expenditure; safeguard the freedom of political parties; support the Palestinian cause and the *intifada*; and consolidate Arab solidarity.<sup>(61)</sup> Mansur Murad, a Circassian and an Arab Nationalist, demanded freedom of political movement, freedom of the press, women's rights, job security, freedom of travel and the release of political prisoners.<sup>(62)</sup> Ya'qub Zayadin, the Secretary General of the Communist Party, similarly focused on both economic and political issues. His manifesto included:

Calling upon the government to offer people more democratic liberties; protecting national unity and resisting the forces of regionalism and tribalism; forming a national front; defending Jordan's independence in order to get rid of political and economic dependence; enacting a new labour law and raising the standard of living for workers; protecting the interests of the working woman and her struggle for equality with men.<sup>(63)</sup>

#### **4.2.3.1.3. The Centrist Platform (Conservatives' and Traditionalist's)**

Conservative and traditionalist candidates fell into two categories. First was a small group of former officials and loyalist politicians, who mainly emphasised issues concerned with the economic crisis, the accountability of officials who were involved in corruption within previous governments, support for small farmers, and the

establishment of qualified educational institutions in rural areas. For example, Ali Abu al-Raghib, who campaigned in the third constituency (Amman), focused on economic, political and social issues. His manifesto included the abolishment of restrictions on the media, strengthening the legislative role over the executive authority, maintaining personal freedom as mentioned in the Jordanian Constitution, establishing qualified educational institutions, strengthening national unity, controlling government expenditure and providing a reasonable level of living to all Jordanian people.<sup>(64)</sup> Second were tribal candidates who concentrated mainly on tribal issues. For example, Abdullah al-Khraishah focused on improving the level of education; distributing '*amiri* land' (state land) to Bedouin farmers; bringing more Bedouins into official government posts and reducing the price of animal feed. Furthermore, they stressed the importance of national issues.<sup>(65)</sup>

#### **4.2.3.1.4. Women Candidates**

Most of the 12 women candidates concentrated almost exclusively on women's issues. However, Haifa al-Bashir, who campaigned in the third constituency (Amman), not only focused her manifesto on supporting the role of women and their participation in the political development process, but also on supporting national unity, strengthening democratic institutions, supporting youth, resolving the problem of unemployment and lifting foreign influence on the national economy.<sup>(66)</sup> A further example, Janit al-Mufti's manifesto in Amman third constituency focused on social, economic and political issues, and the problems facing Jordan. Her manifesto listed the issues to be addressed as follows:

Soaring unemployment and the rise in prices; the consumer attitude among some of the social strata; greater imports than exports; procrastination in the application of laws concerning women's rights, martial laws and extra-ordinary laws affecting the power of the constitution; non-independence of judiciary power and issuing unfair verdicts against citizens; sectarianism, regionalism, and extremism; immigration of large numbers of people from villages to cities affecting demographic and development balance; discrimination, nepotism, and benefiting from official posts; moral

corruption of women and youths; non-application of tax laws on all citizens on an equal footing, the gap of mistrust between officials and citizens; and irrational governmental expenditures.<sup>(67)</sup>

In the political field, Janit al-Mufti's platform went on to call for the government to:

Abide by the provisions of the constitution; create a multi-party system; enhance national unity; separate the executive, legislative, and judicial authorities; establish an independent Palestinian state and support the PLO as the sole legitimate representative of the Palestinian people; observe the resolutions and directives of the Arab official bodies and work to enhance Arab unity.<sup>(68)</sup>

Although in general there was a great deal of similarity in the main issues addressed by the candidates, and shared concerns for future national and economic stability in Jordan, the variety of approaches and the plurality of opinions were new developments in Jordanian politics.

The Muslim Brotherhood platform was distinctive in calling for the implementation of the Islamic *Sharia*. Along with the Leftists, the Islamic candidates condemned the IMF agreement and called for its abrogation. The Leftist and Pan-Arab Nationalists stressed the importance of Arab unity, economic policy, unemployment and social justice, while Conservative and Traditionalist candidates focused on education, support for farmers, and economic corruption.

#### **4.2.4. The 1989 Elections: Level of Competition**

The Election Law had allocated categories for the distribution of seats in each of the electoral districts: Muslim, Christian, and Circassian and Chechen. The 647 candidates, were distributed as follows: 565 Muslim candidates, 65 Christian candidates, and 17 candidates from the Circassian and Chechen communities. As to the number of candidates contesting each constituency, Irbid had the most with 69 candidates, followed by Karak with 64 candidates, and Zarqa with 60 candidates, while the

Southern Bedouin had only 13, the smallest number of candidates. Table 4.2 details the distribution of candidates and the number of candidates per seat.

**Table 4.2: Distribution of Candidates and the Candidates per Seat**

Constituencies	Distribution of Seats			Distribution of Candidates			Total Seats	Total Candidates	Candidates Per Seat			
	M	C	CI	M	C	CI			M	C	CI	General
Amman (1)	3	-	-	22	-	-	3	22	7.3	-	-	7.3
Amman (2)	3	-	-	35	-	-	3	35	11.6	-	-	11.6
Amman (3)	3	1	1	34	13	8	5	55	11.3	13.0	8.0	11.0
Amman (4)	2	-	-	19	-	-	2	19	9.5	-	-	9.5
Amman (5)	4	-	1	46	-	6	5	52	10.5	-	6.0	10.4
Amman (6)	2	1	-	16	12	-	3	28	8.0	12.0	-	9.3
Balqa	6	2	-	34	8	-	8	42	5.6	4.0	-	5.3
Karak	7	2	-	55	9	-	9	64	7.8	4.5	-	7.1
Tafileh	3	-	-	17	-	-	3	17	5.7	-	-	5.7
Ma'an	5	-	-	27	-	-	5	27	5.4	-	-	5.4
Zarqa	4	1	1	51	6	3	6	60	12.7	6.0	3.0	10.0
Mafrq	3	-	-	21	-	-	3	21	7.0	-	-	7.0
Irbid	8	1	-	64	5	-	9	69	8.0	5.0	-	7.7
Ajloun	2	1	-	19	12	-	3	31	9.3	12.0	-	10.3
Jerash	2	-	-	20	-	-	2	20	10	-	-	10.0
Ramtha & Bani Kinanah	3	-	-	18	-	-	3	18	6.0	-	-	6.0
Koura & N. North Ghor	2	-	-	18	-	-	2	18	9.0	-	-	9.0
North Bedouin	2	-	-	19	-	-	2	19	9.5	-	-	9.5
Central Bedouin	2	-	-	17	-	-	2	17	8.5	-	-	8.5
South Bedouin	2	-	-	13	-	-	2	13	6.5	-	-	6.5
Total	68	9	3	565	65	17	80	647	8.5	8.0	5.7	8.3

M. Muslim, C. Christian, Ci. Circassian and Chechen

**Source:** The 1989 Elections: Facts and Figures, Al-Urdun al-Jadid Research Centre, [New Jordan], , Amman, Jordan, 1993, p. 21.

According to the above table, the average competition level between candidates in the Kingdom was 8.3 candidates per seat. The highest competition level for parliamentary seats was in the capital where three constituencies had over 10.4 candidates per seat,

dropping in Balqa and Ma'an governorates where it was under 5.5 candidates per seat. The high competition level was due to a number of factors including the 1989 election which had been the first in more than twenty-two years, the increased level of education, many Jordanian citizens being able to participate in the political life of the country for the first time, and popular support for the return of a parliamentary body.

#### **4.2.5. The 1989 Election: Participation**

According to the Ministry of the Interior's official electoral report, the estimated population of Jordan by the end of 1989, was 3,280,244. The total number of eligible voters in the country over the age of nineteen was 1,350,000. This figure excluded members of the Armed Forces, the police, and the security service, as they were not allowed to vote in the election by law. Of that total, 1,020,446 voters actually registered their names, and 877,475 collected the necessary voting cards. The number who voted in the election came to 541,426, representing 62 per cent of those who collected the voting cards and 53 per cent of registered voters, and some 40 per cent of all eligible voters.<sup>(69)</sup> Table 4.3 gives details of participation in the election of 1989.

**Table 4.3: Percentage of Participation in the Elections of 1989**

Population of Jordan at the end of 1989	3.280.244
Number of Eligible Voters	1.350.000
Number of registered voters	1.020.446
Number of Voting Card Holders	877.475
Number of Actual Voters	541.426
Proportion of Actual Voters to Voting Card Holder	62
Proportion of Actual Voters to Registered Voters	53
Proportion of Actual Voters to Eligible Voters	40
Proportion of Registered Voters to Eligible Voters	76
Proportion of Voting Card Holder to Eligible Voters	65
Proportion of Voting Card Holders to Registered Voters	86

**Source:** The Ministry of the Interior, Official Electoral Report, Amman, 1989.

As is clear from the table, the proportion of registered voters in the election to eligible voters was high (about 76 per cent), and the proportion of voting card holders to

registered voters was even higher, reaching 86 per cent. However, the proportion of actual voters to voting card holders was low (about 62 per cent). With the resumption of parliamentary life in Jordan after a long hiatus of twenty-two years of non-elected parliamentary government, large sections of the population still appeared to remain hesitant about participating in the democratic process.

Although the level of voters may have been relatively low, the high participation level of candidates strengthened the value of the democratic experience in Jordan. The fact that a high proportion of eligible voters did register gives testament to the encouraging climate in Jordan for popular democracy. The experience of democracy was positive and pointed the way forward.

Table 4.4 shows the number of registered voters, voting card holders, and actual voters according to the electoral districts, and the country's population at the end of 1989.

**Table 4.4: Participation in the 1989 Elections.**

Constituency	1989 Population	Number of registered voters	Number of voting card holder	Actual voters
Amman (1)	210716	65342	45290	27610
Amman (2)	391849	73435	57000	33170
Amman (3)	221131	60824	46199	27590
Amman (4)	103475	35788	33512	19013
Amman (5)	186117	60289	47373	28000
Amman (6)	94550	35134	30692	22158
Balqa	195868	91303	83408	53143
Karak	158435	67563	63605	35722
Tafileh	54589	21908	20781	15364
Ma'an	79090	27981	25535	19427
Zarqa	494680	116371	88028	58153
Mafrq	77925	21825	20046	14622
Irbid	414769	126903	109696	53400
Ajloun	87961	36207	34500	21700
Jerash	99121	31567	29577	19400
Ramtha & Bani Kinanah	122164	41360	40817	26727
Koura & North Ghor	134743	45955	43101	28500
Northern Bedouin	74000	24060	23305	13293
Central Bedouin	43551	18155	17816	12243
Southern Bedouin	35510	18476	17194	12191
Total	3280244	1020446	877475	541426

**Source:** The Ministry of Interior, Official Electoral Report, Amman, Jordan, 1989.

\* The researcher has corrected the overall total given, as these were incorrect in the Official Electoral Report.

According to the Ministry of the Interior's official electoral report, the people in the Southern Bedouin constituency were more enthusiastic in registering for the election with a percentage of 52 per cent of the total population, followed by Balqa constituency with 46.6 per cent, Karak constituency with 42.6 per cent, and the Central Bedouin constituency with 41.6 per cent. The lowest registration for the election was in Amman Second constituency with 18.7 per cent registered voters of the total population. From these figures, it seems that enthusiasm for the election was highest among the rural population, the bedouin and other minorities.

The highest percentage of voting card holders was in Ramtha and Bani Kinanah constituency in Irbid governorate with 99 per cent of the total number of the registered voters in the Kingdom, followed by Central Bedouin with 98 per cent, and North Bedouin 96.8 per cent. The lowest percentage in the Kingdom was in Amman First constituency with 69.3 per cent. It can be concluded that the highest number of voters collecting the necessary voting cards were in the rural and bedouin areas. The highest percentages of actual voting were in Ma'an with 76 per cent and Tafileh governorate, where it was 73.9 per cent. The lowest actual voting was in Karak with 56 per cent.

Although there were significant discrepancies between the patterns of registered voters, voting card holders and actual voters in the constituencies, overall the level of participation was low. A number of reasons contributed to this. Firstly the large number of candidates and the similarity in their platforms, confused the voters. Secondly, many of the candidates were new faces previously unknown to the electorate. Thirdly, many Palestinians did not participate in the election process due to PLO instructions not to have many deputies in the Jordanian Parliament. On November 1, 1989, the PLO issued a statement urging candidates to "refrain from involving its name in their campaign propaganda in favour of any candidate". The statement stressed that the elections were a "purely Jordanian affair".<sup>(70)</sup> Many Palestinians opposed substantial representation in the Chamber of Deputies for fear that Israel would insist on admitting those Palestinian representatives to the peace process, and so threaten the position of the PLO as the sole legitimate representative of the Palestinian people.<sup>(71)</sup> As a result, only twelve deputies with Palestinian origins were elected in 1989.

#### **4.3. The 1989 Elections Result**

On November 8, 1989, 541,426 Jordanian citizens turned out to elect the eighty members of the eleventh Chamber of Deputies at the 1,109 polling stations throughout the country's 20 electoral constituencies. The polls were the first general elections in



more than 23 years and were easily the freest and fairest elections ever held in Jordan. Although the election was on a non-party basis, various groups and organisations functioned as quasi-parties. The election resulted in Islamic trends winning 42.5 per cent of the seats available, the conservatives and traditionalist winning 41.3 per cent, and leftists and nationalists winning 16.2 per cent.

After the announcement of the election result, the King expressed his satisfaction:

It was what I promised and I have fulfilled my promise...I am satisfied with all the results of the election. We were totally successful in the process: every element in Jordan was given an opportunity to take part in the election, the people have chosen their representatives, who hopefully, will share the responsibility in a diligent manner.<sup>(72)</sup>

There was a delay of about 24 hours in the publication of the final result, caused by a re-tallying of the ballots cast in Karak Governorate. This was due to what was described by the Jordanian Interior Minister, Salim Masa'adeh, as "confusion created by supporters of some candidates". He made it clear that there was "no recounting of ballots in Karak, we only carried out a confirmation of the votes".<sup>(73)</sup> Table 4.5 shows the election winners, number of votes and their affiliations.

**Table 4.5: Electoral Districts, Winners, and Political Affiliation**

Constituency	Deputies Winners	No. of Votes	Political Affiliation
Amman (1)	Ali al-Faqir	13,418	Islamist
	Abd al-Aziz Jabr	11,188	Muslim Brother
	Majid Khalifah	9,708	Muslim Brother
Amman (2)	Abd al-Mun'im Abu Zanat	19,343	Muslim Brother
	Ali Hawamdah	12,765	Muslim Brother
	Ya'qub Qarrash	5,082	Islamist
Amman (3)	Laith Shbailat	14,740	Islamist
	Faris al-Nabulsi	7,801	Arab Nationalist
	Tahir al-Masri	6,482	Centrist
	Mansur Murad(Circassian)	8,747	Leftist

	Fakhri Qawar (Christian)	6,211	Leftist
Amman (4)	Nayif al-Hadid	6,458	Centrist
	Hamzah Mansur	4,260	Muslim Brother
Amman (5)	Hammam Sa'id	9,842	Muslim Brother
	Muhammad Abu Faris	8,601	Muslim Brother
	Ata al-Shahwan	4,845	Centrist
	Ahmad al-Abbadi	4,764	Centrist
	Dawud Qujaq (Circassian)	8,012	Muslim Brother
Amman (6)	Ahmad Qutish al-Azaydah	6,534	Muslim Brother
	Abd al-Hafiz Alawi Braisat	5,953	Muslim Brother
	Sa'ad Haddadin (Christian)	3,088	Centrist
Zarqa	Dhib Anis	25,517	Muslim Brother
	Muhammad Ahmad al-Hajj	8,905	Muslim Brother
	Salamah al-Ghuwairi	7,036	Centrist
	Ziyad Abu Mahfuz	6,513	Islamist
	Abd al-Baqi Jammu (Chechen)	14,181	Islamist
	Bassam Haddadin (Christian)	14,698	Leftist
Ma'an	Yusif al-Azum	5,841	Muslim Brother
	Sulaiman Arar	5,590	Centrist
	Ziyad Kamal al-Shuwaikh	4,896	Centrist
	Hisham Sharari	4,538	Centrist
	Abd al-Karim al-Kabariti	4,482	Centrist
Tafleh	Dr. Abdullah al-Akaylah	4,587	Muslim Brother
	Fu'ad al-Khalafat	4,454	Muslim Brother
	Ibrahim al-Ghababshah	3,526	Nationalist
Irbid	Ahmad al-Kufahi	32,651	Muslim Brother
	Abd al-Rahim al-'Ukur	22,920	Muslim Brother
	Kamil al-'Umari	19,858	Muslim Brother
	Yusif al-Khasawnah	19,604	Muslim Brother
	Muhammad al-Alawnah	14,459	Islamist
	Dhuqan al-Hindawi	14,171	Centrist
	Husni al-Shiyyab	12,246	Nationalist
	Abd al-Ra'uf al-Rawabdah	11,178	Centrist
	Dhib Marji (Christian)	11,694	Leftist
Jerash	'Isa al-Rimuni	3,480	Centrist
	Hussain Mijalli	2,787	Nationalist
Ajloun	Ahmad Annab	5,280	Centrist
	Abd al Salam al-Fraihat	4,473	Islamist
	Jamal Haddad (Christian)	2,855	Centrist

Koura & North Ghor	Abd al-Majid Shraidah	7,628	Centrsit
	Nadir Zuhairat	6,163	Centrist
Ramtha & Bani Kinanah	Muhammad Dardur	11,734	Centrist
	Qasim 'Ubaidat	9,203	Nationalist
	Salim al-Zu'bi	5,483	Nationalist
Mafrag	Abd al-Karim al-Dughmi	3,025	Nationalist
	Muhammad Abu 'Uhlaim	2,389	Centrist
	Nawwaf Alayan al-Khawaldah	2,533	Centrist
Balqa	Abdullah al-Nsur	19,609	Centrist
	Abd al-Latif Arabiyyat	15,451	Muslim Brother
	Ibrahim Khraysat	13,071	Muslim Brother
	Awni al-Bashir	10,611	Centrist
	Marwan al-Hmud	9,751	Centrist
	Sultan al-Adwan	8,721	Centrist
	Fawzi Tuaimah(Christian)	13,993	Centrist
	Samir Qawar (Christian)	10,196	Centrist
Karak	Ahmad al-Kafawin	13,184	Muslim Brother
	Jamal al-Sarairah	10,411	Islamist
	Atif al-Batush	10,355	Islamist
	Mahmud Hwaimil	10,062	Islamist
	Matair al-Bustanji	9,977	Islamist
	Yusif al-Mbaidin	9,810	Islamist
	Muhammad al-Tarawnah	9,378	Nationalist
	'Isa Mdanat (Christian)	10,274	Communist
	Abdullah Zuraiqat (Christian)	9,478	Centrist
N. Bedouin	Muhammad al-Mu'arar	3,845	Centrist
	Sa'ad al-Surur	3,569	Centrist
C. Bedouin	Jamal al-Khraishah	3,532	Centrist
	Muhammad al-Zaban	2,814	Centrist
S. Bedouin:	Faisal al-Jazi	5,377	Centrist
	Nayif Abu Tayih	4,303	Centrist

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**Sources:** Jordan Times, 9-11 November, 1989.

From the above table, the winning Islamic candidates polled 401,224 votes, representing 54.4 per cent of the winning votes casts. The winning Centrist (conservative and traditionalist) candidates polled 230,165 votes, representing 31.2 per

cent. Finally, the winning Leftist and Nationalist candidates polled 106,073 votes, representing 14.4 per cent.

It is significant that the candidates obtaining the highest votes were all from the Muslim Brotherhood. The largest number of votes was obtained by Ahmad al-Kufahi, who scored 32,651 votes in Irbid constituency, followed by Dhib Anis with 25,517 in Zarqa constituency, Abd al-Rahim al-'Ukur with 22,920, Kamil al-'Umari with 19,858 both from Irbid constituency, and Abd al-Mun'im Abu Zanat a former religious judge with 19,343 votes in Amman's second constituency.

Despite women constituting 50% of the total population, only twelve female candidates had nominated themselves for the elections and none managed to secure a parliamentary seat. In total, these candidates polled 20,500 votes, an average of approximately 1,700.<sup>(74)</sup> This was the first time in Jordan's history that women had fought an election, despite having been granted the right to vote in 1974. Women had, however, participated in the by-election of 1984 as voters. According to a survey conducted by the Department of Research and Studies of the Jordanian parliament in May 1993, concerning the participation of women in political life, 77% of the reasons given were that people were unconvinced of the ability of women to represent them; the religious consideration which argued that women were not entitled to run the state's affairs; the absence of female support to women candidates in the election; the feeling that women are not qualified to undertake political decisions; tribal and family values preventing people from giving their support to women candidates, and women's lack of experience in parliamentary affairs.<sup>(75)</sup> Interior Minister Salim Masa'adah answered a relevant question on the women's failure by saying that "it was the people who went to the elections; it was up to them to elect whoever they wanted".<sup>(76)</sup>

#### **4.3.1. The Political Groupings Reflected in the 1989 Elections Result**

Following the 1989 election result, three trends were apparent in the Chamber of Deputies. These were the Islamic trend, the Leftist and pan-Arab Nationalist trend, and the Conservative and Traditionalist trends.

##### **4.3.1.1. The Islamic Trend**

Although, a broad grouping of candidates came under the Islamic umbrella, the Muslim Brotherhood played a central role, as the best organised and most impressive group in the election campaign. Their candidates formed a recognised bloc. They had enjoyed relative political freedom over the years, although as an "association" and "charity" rather than a party, and had never been banned.<sup>(77)</sup> Jordan was one of few countries in the region which allowed the Muslim Brotherhood to operate openly, under the supervision of the Ministry of Social Development. King Hussein emphasised his support for the Muslim Brotherhood over the years by saying, "we protected them when (they) were persecuted elsewhere".<sup>(78)</sup> The Muslim Brotherhood had therefore the advantage of having been effectively the only political grouping permitted in the country since the ban on parties in 1957.

The influential Muslim Brotherhood was one of the first groups to establish a coherent organised platform, thus accounting for the success of most Muslim Brotherhood candidates. The Muslim Brotherhood fielded candidates in most of the country's constituencies. Twenty-two of its twenty-six candidates won seats in the election. Twelve candidates, calling themselves Islamic independents, also won seats to the Chamber of Deputies. Overall, the Islamic trend won a number of seats equal to that of the overt supporters of the regime: conservative and traditionalists, (tribal leaders and ex-governmental officials). The Islamic groups polled particularly well in the urban areas. In the Amman constituencies, thirteen of the seventeen seats reserved for Muslim Arabs were won by Islamic candidates. The Muslim Bloc candidates in the Irbid

constituency captured the top five positions of the eight seats reserved for Muslim Arabs. In the Zarqa constituency, the Islamic candidates won four of the five seats reserved for Muslim deputies. Of the seven seats reserved for Muslim members in the Karak constituency, six seats were won by Islamic candidates.

The election result revealed the hidden strength of the Islamic movement in the country. In response to this, King Hussein expressed his complete satisfaction with the election process and rejected suggestions that the "strong showing by Islamic Fundamentalists in the polls represented an 'opposition' in the House".<sup>(79)</sup>

The success of the Islamic movement in the election can be attributed to several factors. First, the Palestine Liberation Organisation's decision not to intervene in the elections was crucial. Due to the absence of the PLO and its supporters from the political scene, the Islamic movement achieved success in the refugee camps and attracted support from Jordanians of Palestinian origin in other cities.<sup>(80)</sup> The Palestinians supported the Islamic candidates because the Islamic platform rejected the West Bank disengagement and called for a holy war against Israel for the liberation of all Palestinian lands.

Second, the success of the Islamic movement was the disintegration of tribal and family links. This can be attributed to a number of inter-related factors. Firstly, the loyalty vote towards the tribe was often split as more than one member of the tribe contested for the same constituency. Moreover, it was difficult to distinguish between the individual platforms of the tribal candidates. Finally, the platforms themselves were often vague both in terms of ideology and policies.<sup>(81)</sup>

Third, the Muslim Brotherhood had been the only quasi-political organisation allowed to function in Jordan over the past three decades.<sup>(82)</sup>

Fourth, the Islamic platform called for the prosecution of former government officials who had allegedly mishandled the economy into bankruptcy, and for the abrogation of the Kingdom's agreement with the IMF <sup>(83)</sup>, thus increasing their appeal to the majority of Jordanian voters.

#### **4.3.1.2. The Leftist and Pan-Arab Nationalist Trend**

The Leftists and pan-Arab Nationalists fought the election in a number of constituencies such as Karak on an informal arrangement basis. However, they did not do well in the election, winning only thirteen seats out of eighty contested in the election. The Leftists included Issa Madanat of the Jordanian Communist Party. Pan-Arab Nationalists included two Ba'thists, Husni al-Shiyyab and Muhammad al-Tarawnah.<sup>(84)</sup> The Leftists were represented in Parliament for the first time since 1957.

The lack of success of this trend could be attributed to a number of factors. Firstly, the Leftists and the Pan-Arab Nationalists made great efforts in order to co-ordinate activities to run in the election on an informal basis, but these attempts did not succeed in most constituencies. Isa Mdanat stated to the researcher that a list was formed by the Leftists and Pan-Arab Nationalists of Karak governorate, “and they partially succeeded in reducing the number of successful Islamic candidates, with two candidates gaining seats in the Chamber of Deputies”.<sup>(85)</sup> Since their candidates ran for election as individuals, they failed to achieve any coalition despite some degree of co-operation and similarity in their outlook and programmes.

Secondly, the shortness of the election campaign (officially 25 days) was an obvious advantage to those who had previously been allowed free political activities. Thirdly, Leftists and Pan-Arab Nationalists were unable to find the means of promoting their ideas and their programme to the electorate at large.

Fourthly, the Leftists also suffered from a further disadvantage in that most of their leaders had been released only shortly before the election. In addition to the detention of 120 members of the Communist party in the aftermath of the disturbances of April 1989, Ya'qub Zayadin, the secretary general of the Communist party had gone underground until September 1989. Salim al-Nahhas, a key figure in the Jordanian Democratic People's Party (JDPP) was released from prison in the same month.<sup>(86)</sup> Fifthly, the leadership was split by a series of personality clashes. These five conditions were all disadvantageous to the Leftists and pan-Arab Nationalist.

#### **4.3.1.3. The Centrist Trend (Conservative and Traditionalist)**

The Conservative and Traditionalist trend comprised a small group of former officials and loyalist politicians whose main concern was to control the process of change, and also a group of prominent tribal notables who felt that they had been losing their privileged positions. However, the tribal leaders were in fact being challenged by younger elements from within the clans themselves.<sup>(87)</sup>

Thirty-three seats were won by the Conservatives and Traditionalists. Among those who won seats in the election were former ministers Abdullah al-Nsur and Marwan al-Hmud from Balqa Governorate, Dhuqan al-Hindawi and Abd al-Ra'uf al-Rawabdah from Irbid Governorate, Sulaiman Arar from Ma'an Governorate, and Muhammad al-Zaban from the central Bedouin district.<sup>(88)</sup>

Although the candidates from the Conservative and Traditionalist trend were drawn from the traditional ruling elite, the trend was not as successful as anticipated. The main reason for the Conservatives and Traditionalists not winning more parliamentary seats in the election was the lack of consensus among them. This was further exacerbated by so many candidates from the same tribe, making the choice for voters



difficult.<sup>(89)</sup> Related to this was the decline in tribal loyalties within the Kingdom, and consequently votes were lost to Islamic candidates.

There were many examples of failure among establishment figures from the Conservative and Traditionalist trend. Among these were several former ministers who failed to win seats in the Lower House, emphasising that personal affiliation with the government was not sufficient to guarantee political success. The failures included Shafiq Zawaidah from Amman's sixth constituency, Hamdi al-Tabba and Muhammad al-Dabbas from Amman's third constituency. Akif al-Fayiz of the Bani Sakhir tribe from the central Bedouin constituency failed to win his seat. Al-Fayiz was of the idea that one of the two assigned seats was guaranteed for himself, and the other to be actively competed for by the other 17 candidates. He did not regard the high number of candidates as representing any major challenge to the traditional authority of the tribe. Al-Fayiz also saw his failure as a "reflection of the younger generations who wished to experience politics for themselves and test their own strength".<sup>(90)</sup> In addition, more than twelve former senior officials and heads of large quasi-government organisations, ex-mayors, ex-ambassadors and retired armed forces officers failed to win. Tribal leaders were "defeated by young, enlightened members of their own tribe".<sup>(91)</sup> As there was such a disparity of views throughout the tribe, some of the established clans failed to win any parliamentary seats.

## **Conclusion**

The political liberalisation in Jordan was initiated by three factors. These were the disengagement from the West Bank and the recognition of the Palestinian identity in the area; the severe economic crises which Jordan faced in the run-up to the elections; and the popular disturbances which broke out throughout the country as a protest against the price increases.

The election of 1989 was characterised by confusion. The ordinary voters could not always distinguish between candidates' positions on issues, due to the absence of political parties and also the short time period of the election campaign to prepare and present the platforms to the electorate. The general election of 1989 gained special attention from a wide range of younger generation voters, between the ages of 19 and 40, participating in elections for the first time or standing as candidates.

The election was judged by many external and internal observers to be fair and honest, despite the fact that it had taken place before the issuance of the law for political parties. The 1989 election confirmed the existence of political pluralism in the country. Although political parties were not yet legal, candidates with a political affiliation stood for the election as individuals. It was understood that this was simply the first step in a transitional process and that it was only a matter of time before political parties with their own identities would be permitted and legalised. Although the 1989 election left certain matters to be desired, the process of democratisation had taken hold in Jordan, and further political reforms were both desirable and inevitable.

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## **Chapter Five**

### **The Operation of the Parliamentary Democratic System;**

#### **Political Reforms, 1989-1993**

##### **Introduction**

The process of political liberalisation in Jordan continued after the election of 1989 into the 1990s. One month after the November 1989 election, the Jordanian government began to consider moves towards further political liberalisation. Even before it had won its vote of confidence in parliament, Mudar Badran's government had initiated moves towards suspending laws and regulations that had been in force in the previous period.

This chapter will examine how political liberalisation from 1989 to 1993 was carried forward with the implementation of a number of political reforms. The major reforms which were introduced were the adoption of the National Charter on June 9, 1991, which was intended to serve as a supplement to the Constitution in redefining the relationship between the state and its citizenry; the repeal of martial law on July 7, 1991; the abolition of the anti-Communist law on December 23, 1991; the Political Parties Law permitting the licensing of political parties in Jordan for the first time since 1957 and endorsed by the Chamber of Deputies on July 7, 1992; and the Press and Publication Law which was passed by the Chamber of Deputies on March 14, 1993. Each of these political reforms will be discussed below.

## **5.1. The Lifting of Laws and Regulations which Contradicted the Process of Political Liberalisation in Jordan**

The government's official commitment to reconsider all extraordinary laws, and laws which affected public freedom and to work towards cancelling them, constituted a major step in changing the political climate in Jordan. Some of the actions which the government took in lifting laws and regulations could take immediate effect, without needing any additional legal changes, while others required changes in the law. These are dealt with separately below.

### **5.1.1. Changes in Regulations with Immediate Effect**

Among the changes in regulations which could take immediate effect were the release of political prisoners, the return of all confiscated passports, the lifting of limitations on movement and travel, and the abolition of state control over the main daily newspapers. Moreover, the government also took the decision to curb the intervention of the Intelligence Service (*mukhabarat*) in the political activity of Jordanian citizens, to suspend *mukhabarat* certification of passport renewals, to allow employees who had been dismissed because of their political leanings to return to their posts, to offer political exiles the opportunity to return home and to grant the public the right to hold political demonstrations.<sup>(1)</sup> In addition, in December 1990, the government permitted the Jordanian Writers Association, which had been dissolved in 1987 after accusations of political activity, to resume its activities.<sup>(2)</sup>

### **5.1.2. The Lifting of Martial Law**

The repeal of martial law in Jordan was the most important of the political reforms introduced between 1989 and 1993, as none of the other major political reforms would otherwise have been effective. Mudar Badran promised to suspend martial law at the end of December 1989. Martial law had been introduced on June 5, 1967 following the

1967 Arab-Israeli War, and had given the central authorities the right to search or detain any person without further notice. Moreover, the decision of the martial courts was final and not subject to appeal. Article [4] of the martial law regulations had stated that:

Despite any law or any other regulation, the General Military Governor and local military authorities have the power to arrest, search, and detain any person for a period of time deemed necessary, any where in the Kingdom as well as enter any houses, or other places to investigate and to search at any time day or night.<sup>(3)</sup>

On July 7, 1991, King Hussein issued a royal decree repealing the majority of martial law regulations. The decree stated that the martial law courts would continue to investigate the cases they were already handling, and the Economic Security Committee would continue to work on cases of mismanagement and corruption by former officials.<sup>(4)</sup> However, all of the remaining martial law provisions were formally repealed on March 24, 1992 by royal decree. Security offences such as espionage and treason were to be dealt with by state security courts.<sup>(5)</sup>

### **5.1.3. The Lifting of the Anti-Communist Law**

The anti-Communist law had been introduced on December 1, 1953. This decreed temporary imprisonment with hard labour for any person belonging to a communist organisation or supporting communist thought. Article [3] of the anti-Communist law declared that the following should be punishable with hard labour:

- a. Association with a Communist organisation with the object of propagating Communism;
- b. Association with a Communist organisation, working for it, holding office in it, or being employed as secretary or a delegate for it;
- c. Spreading of propaganda for Communism through speech, writing or pictures;
- d. Distribution of any Communist document with the intention of propagating Communism;



- e. Possession of a Communist document with the intention of its publication or propagation.<sup>(6)</sup>

The anti-Communist law was repealed relatively quickly and easily on December 23, 1991, after a short parliamentary debate, despite opposition from the Islamic Action Front.<sup>(7)</sup> Abdullah al-Akaylah, a Muslim Brotherhood member, argued that Communist thought should not be allowed in a country in which more than 97 per cent of the population was Muslim.<sup>(8)</sup> He pointed out that this contradicted Article [2] of the Jordanian Constitution, which stated that "Islam is the religion of the state and Arabic is its official language".

## **5.2. The National Charter, June 1991**

### **5.2.1. The National Charter Framework**

A key element in the process of political liberalisation in Jordan was the adoption of the National Charter. The idea of the National Charter (*al-mithaq al-watani*) was first mentioned by King Hussein in a speech on May 10, 1989, only three weeks after the disturbances in the south of the country.<sup>(9)</sup> He declared that a National Charter should be prepared at some as yet unspecified date and should represent a national code of conduct.<sup>(10)</sup> The King again referred to the idea of a charter in his speech to the two Chambers of Parliament at the opening of the first regular session of the Eleventh National Assembly on November 27, 1989.<sup>(11)</sup> He stated: "A Royal Commission will be formed to draft a National Charter that defines the parameters of our path, based on our constitution and the basic principles that are fundamental to the Hashemite Kingdom of Jordan".<sup>(12)</sup>

On April 9, 1990, King Hussein appointed a Royal Commission to draw up the National Charter, outlining the rules for political life in the country.<sup>(13)</sup> The former prime minister and security chief Ahmad 'Ubaidat was to act as chairman. At the first meeting

of the Royal Commission, on April 10, 1990, the King delivered a speech in which he made clear the significance of the National Charter to the process of democratisation. He stated:

The democratisation of Jordan is an irreversible process and democratic tolerance of opposing views should be the guiding force for political life in the Kingdom under guidelines set by the proposed National Charter...If democracy is to be the means to build and to mobilise, and an incentive to release talents and rejuvenate individuals and institutions, as well as a cornerstone of our national security, then it becomes essential that we agree on a broad and flexible framework for national action. This framework will be the Charter....The Charter will not be a substitute for the Constitution. It will posit basic visions and national concepts that determine the functioning of the state. It will constitute a regulator of the state's various activities in political, economic, security, social, and cultural affairs.<sup>(14)</sup>

### **5.2.2. Composition of the Royal Commission**

The Royal Commission which was to draw up the National Charter, consisted of sixty members drawn from members of different political tendencies.<sup>(15)</sup> It included eight members of the Islamic tendencies, of whom six were known to be associated with the Muslim Brotherhood and two known as Islamic independents. Thirteen were known to be sympathetic to pan-Arab nationalists, and eight had a reputation for leftist sympathies. Conservatives and Traditionalists accounted for 31 members of the Committee. It should be noted that twenty-five members out of the sixty were members of the National Assembly, of whom 17 were deputies and eight were senators.<sup>(16)</sup> The members, all of whom were public figures, were appointed by the King on the recommendation of the Prime Minister and the King's advisers.

### **5.2.3 Differing Approaches within the Committee**

On April 10, 1990, the day following the issue of the royal decree, the Royal Commission began its meetings. It was not long before some of the political factions

began to suspect that their particular standpoints were not going to be given sufficient recognition in the Charter. They had hoped to stamp the Charter with their own ideologies and principles. For example, the Islamic members tried to create a framework for the implementation of Islamic ideology within the provisions of the Charter. Members of the various political factions became fearful that the Charter would go against their interests and might lead to their political isolation. According to Ahmad 'Ubaidat, "there was a crisis of confidence among the members".<sup>(17)</sup>

However, after the actual drafting of the Charter had begun, the members of the various factions gradually acquired greater confidence. 'Ubaidat told the researcher that when it became clear to everybody that the government was not intent on influencing the content of the Charter, doubts and suspicions evaporated and were replaced by trust on all fronts. Members became convinced of the need for compromise, and so were prepared to make concessions in order to achieve a common goal.<sup>(18)</sup>

#### **5.2.4. Procedures Used in Drafting the Charter**

The initial stage of drafting the Charter involved all the members of the Royal Commission meeting together to decide how the Charter should be composed, in terms of chapters. Once the structure of the chapters had been determined, the members of the commission divided into working groups to decide the content of each chapter. Members attended the working groups which covered the concerns of greatest interest to them. 'Ubaidat informed the researcher that "at no stage in the course of these discussions did the government play any part in drafting the text, which was done entirely by the commission".<sup>(19)</sup>

### **5.2.5. The Content of the National Charter**

The National Charter is the basic statement of democratic intent for the Jordanian people. It consists of an introductory background and eight chapters, under the following titles:[see Appendix 2]

- Chapter One: 'The Charter: Rationale and Aims'.
- Chapter Two: 'State Governed by Law and Political Pluralism':
  - The State of Law and Political Pluralism.
  - Basic Pillars of a State of Law.
  - Guarantees of the Democratic Approach.
  - Principles and Limitations Governing the Establishment of Parties.
- Chapter Three: 'Jordan National Security'.
- Chapter Four: 'The Economy'.
- Chapter Five: 'The Social Aspect'.
- Chapter Six: 'Culture, Education, Science and Information'.
- Chapter Seven: 'The Jordanian Palestinian Relationship'.
- Chapter Eight: 'Jordanian, Arab, Islamic and International Relations'.

Chapter one explains the rationale and aims behind the creation of the National Charter. It states that the Jordanian Constitution lays down the objectives and principles which regulate the form of government in Jordan, and governs the relationship between these principles and Jordanian society. The principles reflect the pride of all Jordanians in their national identity as part of the Arab nation. The Charter makes it clear that democracy, which enables society to safeguard the rights of each individual and empowers those individuals, regardless of their status, to participate fully in the decision-making process, is the only way that Jordan can remain faithful to both its modern concerns and its Arab and Islamic traditions. The choice of democratic government is therefore the most important step towards fulfilling the Jordanian people's hopes and aspirations at national, Arab, and global levels.

The Charter argues that the principles it puts forward are intended both to create and to regulate the relationships between the government, officials and other public bodies in Jordanian society. National agreement on these principles can be seen not simply as an advanced form of cultural achievement, but also as a comprehensive platform for the future of the country.

The salient features and fundamental concepts of the state system are defined in the Charter in terms of eighteen facts, principles and constants. The most significant of these points which most clearly define the nature of the relationship between the government and its citizens are covered below. The system of government in the country is described as at once parliamentary, monarchic and hereditary. The importance of all citizens respecting the different aspects of governance if unity is to be accomplished is stressed. Point one states:

The system of government in the Hashemite Kingdom of Jordan is parliamentary, monarchic and hereditary. Adherence by all to its legitimacy and respect for the letter and spirit of the constitution shall enhance the union between the people and their leadership.

Point two stipulates that the Jordanian people are part of the Arab nation and that Arab unity is the only option for both Jordan and national Arab security. This is stated as follows:

The Jordanian people are part of the Arab nation. Arab unity is the only option that would achieve national security for Jordan and the Arab nation in all Arab countries, guarantee economic and psychological stability and ensure preservation, progress and continuity.

Point eight, whilst affirming equal rights for all to participate in the democratic process regardless of gender, race, religion or language, also reminds people of their obligation to exercise that right responsibly in the interests of building a just and united country. It states:

Jordanian men and women are equal under the law. There shall be no distinction between them in rights and obligations regardless of difference in race, language or religion. They shall exercise their constitutional rights and uphold the higher interest of the state and the national ethic in such a manner as to ensure that the material and spiritual resources of Jordanian society are freed and directed towards achieving the national objectives of unity, progress and building a better future.

Point nine declares that state institutions, as well as individuals, have an obligation to strengthen the democratic process based on political pluralism. Point ten states that political pluralism is the only means of ensuring full participation in the democratic process and of bearing witness to national unity whilst acknowledging the need for a respectful and mutually balanced, civil society.

The goal of a mutually balanced civil society is clearly seen as part of the fundamental national goal of democracy. This is explored further in point sixteen, which deals with the need for good local government and administration. It states that while local leaders are answerable to central authority for obvious reasons of supervision, they should also try to provide as much opportunity as possible for the people to exercise self-government. This is phrased as follows:

Respect for human rights, strengthening of democratic practices, guaranteeing a continued balance in development and achieving administrative efficiency in the Kingdom are fundamental national goals. They require a constant effort to promote a unified administrative system for the Jordanian state and to ensure that local councils become answerable to central authority for supervision and guidance purposes. They also require a strengthening of the social, political and economic structures of the state through supporting the concept of local administration in the various districts and governorates in such a manner as to provide practical opportunities for the people to exercise self-government, enable continued close co-ordination between governmental and popular bodies and lead to better democratic practices through responsible participation within a framework of balanced rights and obligations.

Chapter two of the National Charter establishes the principles and the basic pillars of the state to enable the objectives and aims of the Charter to be achieved. It concerns the nature of a state governed by law and political pluralism. A 'state of law' is defined here as: "a democratic state committed to the principle of the supremacy of the law which derives its legitimacy, authority and effectiveness from the free will of the people...The state of Jordan is a state of law in the modern sense of a democratic state".

The National Charter explains the basic pillars of a 'state of law' as:

1. Adherence to the letter and spirit of the constitution by the legislative, executive and judiciary authorities in all their actions, within a framework of priority of the right.
2. Adherence to the principle of the supremacy of the law, within a framework of comprehensive review by an independent judiciary.
3. Adherence, in the exercise of democracy, to the principles and requisites of social justice.
4. Ensuring that laws in general and laws pertaining to political parties, elections and publications in particular are dedicated to safeguarding the citizens' basic rights and public freedoms.
5. Adoption of the democratic dialogue as the basis of expressing the views, free from any form of coercion or intellectual terrorism, at all official and public levels.
6. Adherence by all government institutions, in the exercise of their duties and services to the public and entities to the principle of complete equality. Said institutions, whether civil or military, should not be exploited by any group, party or faction for political or party purposes, without prejudice to the rights of citizens to organise themselves politically, provided that all of the above is considered as a basic condition for the success of the democratic system."

In order to support these principles, the Charter maintains that it is important to establish two separate autonomous bodies. The first called the 'Complaints Bureau', reporting to parliament and the Council of Ministers would "exercise administrative inspection and review the performance of the administration and the individuals therein". The second unnamed body would be established by special law with instructions "to update and develop legislation". In addition, the Charter also sought the establishment of a Constitutional Court with the jurisdiction to:

- a. Interpret the provisions of the Jordanian Constitution in matters referred to it by the Council of Ministers.
- b. Decide on matters referred to it by the courts with regard to constitutional issues arising from cases entertained before these courts.
- c. Decide on disputes and challenges pertaining to the constitutionality of laws and decrees which are brought before it by interested parties.

Part three of chapter two deals with the principles which need to be respected if democratic institutions are to exist. In this chapter, the Charter envisages guarantees for the basic rights and freedom of all citizens. The Charter lists the elements of democratic behaviour as follows:

1. Respecting the fundamentals of democratic action by organised political groups and parties in their general conduct since it constitutes a guarantee to justice and stability.
2. Strengthening the traits of tolerance and objectivity, respect for the beliefs of others and, groups in the exercise of political and party affairs, avoiding narrow personal conflicts and the slander of individuals and entities.
3. Guaranteeing the basic freedom of all citizens in such a manner as to protect the structure of a democratic society, preserve the rights of individuals and ensure full freedom of expression and its declaration with complete liberty within the limits of the Constitution.
4. Attaining equality, justice and equal opportunities for all citizens, male and female, without discrimination.
5. Preserving the civilian and democratic character of the state, and regarding any attempt to abolish or undermine this character as invalid *ab initio* as it would constitute a violation of the constitution and the pluralism principle and its perception."

Chapter two, part four of the Charter provides the basis for the legitimation of the existence and registration of political parties, thereby paving the way for the legalisation of multi-party political competition, which had been banned in 1957. According to the provisions of the Charter, every Jordanian has the right to establish and belong to a political organisation, as long as its objectives are legitimate and do not contradict the provisions of the constitution. All parties are required to declare their internal regulations, stating their aims and democratic methods, and no member of any party



may have connections with any non-Jordanian political party or organisation. These principles and limitations to the organisation of political parties are stated as follows:

1. Jordanians enjoy the right to establish and belong to political parties and groupings provided that their objectives are legitimate, their methods are peaceful, and their statutes do not violate the provisions of the Constitution. Laws regulating the operation of parties should not include any provisions which overtly or implicitly call for abrogating the constitutional right to establish political parties.
2. Political and party work in Jordan is based on the principle of pluralism of thought, opinion and organisation and on securing the requisites of democratic competition and its legitimate means.
3. A party must announce and declare its statutes and internal regulations which specify its aims, financial resources and political, economic, social and cultural platforms.
4. The judiciary is solely empowered to decide on any infringement pertaining to the application of the Parties Law.
5. Political parties shall, in their internal workings as well as in their programmes, approaches, actions and public and party activities, adhere to the following principles:
  - a. Parties must employ democratic methods in their internal workings, choice of leadership and in the exercise of their activities within a framework of democratic dialogue and free competition among the political parties. The same shall apply to relations and dealings by any party with other political parties and groupings as well as with popular and constitutional institutions in a spirit of mutual respect for opposing views.
  - b. There shall be no structural or financial affiliation by the leadership or members of any party with any non-Jordanian. Also, no activities by any party or grouping shall be conducted upon instructions or directions from any foreign state or body. Taking into consideration what is stated in this paragraph and all principles and limitations governing the organisation of parties, any provisions in the statute, internal regulations or programmes of any licensed Jordanian party serving Palestine, Arab unity or Islamic solidarity shall be regarded as a national Jordanian undertaking.
  - c. Any party in government or participating therein shall adhere to the principles of equality and equal opportunities for all citizens and must regard ability and qualifications as basic criteria for any appointment to public office.
  - d. In the matter of financial revenues, all parties shall rely on local, recognised, declared and specified Jordanian resources. These shall be subject to financial audit and legal review in the manner prescribed by law.
  - e. In matters of organisation, activities and orientation, all parties shall refrain from organising or recruiting for party purposes within the ranks of the Jordanian Armed Forces and security departments or

establishing military or paramilitary (militia) groups of any description whatsoever.

f. All parties whatever their form of organisation shall maintain premises with known and declared addresses. Parties shall not use state, public, charitable or religious institutions or bodies for the benefit of any party or grouping. Nor shall they involve any such institutions in any political or factional conflicts.

Chapter three is concerned with Jordan's national security, which it states is dependent on the resolve and inner strength of society to protect and guarantee the safety and freedom of citizens. Jordan's strength, security and stability are considered to be part of a greater Arab security. Jordanian policies spring from a recognition of the dangers of division and dependency, which threaten the political, economic, and social security of Jordan and the Arab states. Point [1] of the chapter states this as follows:

Jordan's security is part of the Arab national security. In both good times and bad, each has a direct bearing on the other. This makes Jordan's steadfastness and strength indivisible from that of the Arab nation, and emphasises the Arab dimension with regard to Jordan's strength, security and stability.

As far the country's economy is concerned, chapter four states that Jordan has enjoyed the support of foreign aid and remittances from Jordanian workers abroad. The Charter acknowledges the scarcity of minerals, energy and water resources, arable land, and the rapid increase in population have all contributed to slowing economic growth and development in the country. As a result, the National Charter emphasises the need for economic and social development in the areas of private ownership and enterprise, self-reliance, and the use of scientific and technological means to improve productivity. It encourages reliance on updated and accurate data, the establishment of trade unions in all economic sectors, the fight against poverty, the regulation of public borrowing by the state, and the protection of the environment. The National Charter reflects to some degree the pressure to adopt policies of economic liberalisation. Point [1] states that: "The Jordanian economy must be based on respect for private ownership and encouragement of private enterprise". At the same time it acknowledges the

involvement of the state, especially in the areas of management of natural resources and in strategic projects.

Chapter five provides a brief description of the basic principles of Jordanian life, in which the family is considered to be both the heart and the foundation stone of Jordanian society, deriving 'its morals and values from the Arab and Islamic system of values as well as from the universal human ethic'. Such a system demands that all groups in society contribute to the mutual development of individual members, and demands that state institutions must protect the rights of individuals to participate in society while observing the principles of freedom, justice and equality.

In a very strong statement, chapter five also guarantees the rights of the less powerful groups in society. Thus, all children should receive care and protection not only from their parents but also from the state. This right continues throughout adolescence and belongs to all. The handicapped, in particular, must be given all the opportunities they need to overcome their difficulties. According to the Charter, women must be afforded the same rights as men and are considered equal in all respects before the constitution.

Chapter six in the National Charter emphasises the importance of culture, education, science and information to the development of Jordanian institutions. The Arabic and Islamic culture is the basis of Jordanian national culture, according to the Charter. "The Arabic language is the nation's tongue and its means of expressing its cultural identity". The nation's heritage must be documented through scientific methods.

Part two of Chapter six is concerned with the education system which ought to be integrated spiritually, physically, psychologically and mentally to achieve social growth, and be both comprehensive and flexible. The Jordanian education system is described as an integrated and developed system, which reflects the nation's thought and values. Jordanian teachers must be qualified and participate in any educational decision-making.

Part three of Chapter Six stipulates that science and technology should play a significant role in the development of Jordanian society, in solving social and economic problems: "a clear political decision and national will must exist to acquire, develop and utilise technology to meet the country's needs."

The National Charter declares that information planning must be based on the principles of freedom and national responsibility. Point [1] of part four, in Chapter Six, states, "Jordan's information philosophy must be based on the principles of freedom, national responsibility, respect for the truth and regard for the values of the Arab and Islamic nation". Point [2] declares freedom of thought and expression as a right of all Jordanian citizens:

Freedom of thought and expression, and access to information, must be viewed as a right of every citizen as well as of the press and other mass media. It is a right enshrined in constitution and should under no circumstances be abridged or violated.

Chapter seven is concerned with the Jordanian-Palestinian relationship. The significance of this Chapter is that it lays down the relationship between Jordanians and Palestinians, to ensure that Jordan cannot be exploited as an alternative to a Palestinian state. The relationship between Jordanians and Palestinians citizens should be based on the following guidelines:

1. The support for the Palestinian identity.
2. The recognition of the special and distinctive nature of Jordanian-Palestinian relations.
3. The necessity to ensure stability in Jordan, in order that Zionists cannot use Jordan as an alternative to a Palestinian state.
4. The Jordanian-Palestinian relationship to be safeguarded, so that when the "unity-infused relationship between the states of Jordan and Palestine" occurs, then it will serve as "a model for comprehensive Arab unity".

Chapter eight is concerned with Jordanian, Arab, Islamic and international relations.

The National Charter states:

Jordan is an indivisible part of the Arab and Islamic nation. Hence, its national identity is Arab just as Islam is the faith of the nation. In the light of these facts, the people, leadership and democratic institutions of Jordan firmly believe in the inevitability of union among the Arab states and aspire to achieve union by all legitimate means.

The Charter states that Arab unity depends on the following principles, summarised below:

1. The historical, geographic, and cultural aspects, which identify the similarity of Arab states are the fundamental bases of Arab unity.
2. The challenges and external threats confronting the Arab nation call for Arab unity.
3. The strategic resources of the Arab states belong to all Arabs, and must be used by the Arab nation to build its economy and strengthen its national security.

#### **5.2.6. The National Charter and the Issue of a Referendum**

During his speech to the National Assembly on November 27, 1989, the King indicated that the National Charter would be presented to the Jordanian people via a referendum. He declared that: "This Charter will then be presented to the people in a general plebiscite, so that it becomes the product of a comprehensive national decision".<sup>(20)</sup> The Royal Commission correctly understood this as an obligation to subject the National Charter to a public referendum.<sup>(21)</sup> Within the Commission, however, there were those who argued that there was no provision in the Constitution for a referendum. In order to put an end to the debate, a Technical Committee was formed from members of the Royal Commission, headed by the Commission's chairman. The chairman himself chose the members of the committee from those members of the Commission who had legal training and others who wished to participate. The Technical Committee was asked to

submit the outcome of its considerations to the main body of the Royal Commission.<sup>(22)</sup>

According to 'Ubaidat, the Committee reached the following conclusion:

1. Although Article [24] paragraph [1] of the Jordanian Constitution states that, "The nation is the source of all power", paragraph [2] of the same article specifies the manner by which people may exercise their power, by stating that: "The Nation shall exercise its powers in the manner prescribed by the present Constitution." Accordingly there was no constitutional provision for referenda.
2. A referendum should also be avoided due to 'political inconvenience'. Specifically, a referendum could be interpreted as a test of the King's credibility, and this would not be desirable.<sup>(23)</sup>

'Ubaidat explained to the researcher that "the Royal Commission reached a consensus not to submit the Charter for general referendum. The chairman of the Royal Commission was then entrusted by the members of the Commission to explain this matter to the King".<sup>(24)</sup> The King respected the Commission's views, and a National Congress was convened on June 9, 1991 under the auspices of King Hussein, to endorse the Charter. This consisted of 2,000 members, among whom were representatives from Jordan's various political, economic and social bodies, members of the elected municipal councils, tribal leaders, liberals, youth associations, and National Assembly members.<sup>(25)</sup> The King delivered a speech to the opening of the Jordanian National Congress to endorse the National Charter in which he reiterated that the process of democratisation should be completed. He stated:

It was clear to us from the beginning that a real true democracy should meet all the following prerequisites:

1. Separation between the executive, legislative, and judicial authorities. We have always been careful to maintain this separation, and we shall uphold it in accordance with the Constitution. Each one of these authorities must realise its limits and not trespass on the domain of another authority.
2. Holding general parliamentary elections in accordance with the law. This is what we accomplished in November 1989, when the elections were held in an atmosphere of fairness, freedom, and honest competition.

3. The practice of national politics on the basis of pluralism in accordance with the principle of constructive dialogue which is the distinctive feature of democratic life. Truth, in a democratic state, is not monopolised by an individual nor by a group. Truth, ultimately, is the product of a national dialogue leading to consensus.<sup>(26)</sup>

The King stressed that the National Charter should be the guide for the future political framework: "In order to allow for and protect political pluralism, and by extension, to protect democracy, it was necessary to lay down a National Charter which would be the national, conceptual and referential document for political action in Jordan".<sup>(27)</sup> In a later speech, the King added: "Since the Constitution is the foundation of the state and the fence that safeguards it, so the National Charter is its conceptual reference in the process of nation building and the quest for progress". He made it quite clear that Jordan would, on the basis of the National Charter, be a multi-party democracy:

The next natural step will be to complete the establishment of political pluralism, which will be done in two stages:

1. To amend the law on the formation of the Political Parties in accordance with the rules of the Constitution, and under the guidance of the principle of the National Charter.
2. To permit the formation of Political parties in accordance with the anticipated legislation on Political Parties.<sup>(28)</sup>

The King, nonetheless, hoped to limit the number of existing political parties in the country, believing that too many parties would delay the process of democratisation. He stated that: "I hope that our national political arena will not see a profusion of political parties, because overcrowding impedes progress".<sup>(29)</sup>

The National Charter thus laid down the regulations and defined the methods of national public activity and represented a new base for relations between citizens and authority, and drew up new guidelines by which the democratic process would be carried out.

### **5.3. Political Parties Law, July, 1992**

On July 5, 1992, the Jordanian Chamber of Deputies passed a law legalising the existence of political parties in the Kingdom. The Political Parties Law [No. 32 for the year 1992] was enacted on August 31, 1992, by Royal Decree to replace the Political Parties Law of 1955.<sup>(30)</sup> The National Charter had paved the way for the new law through its emphasis on political pluralism and multi-party activity.

The Jordanian Constitution of 1952 had conferred upon Jordanians the right to form political parties under certain conditions. These conditions stipulated that the objectives of political parties should be lawful, that they should adopt peaceful means and that their internal rules should not contradict the Jordanian Constitution (Article 16). The Political Parties Law of 1992 created the practical framework within which political parties could operate, laying down the requirements which needed to be satisfied for their registration. This law placed Jordan in a similar political and legal context to other multi-party democracies. The Political Parties Law consisted of twenty-eight articles.<sup>(31)</sup> The most important articles are summarised in the points given below: [see Appendix 3]

1. Each political party shall have at least fifty founding members and a five member leadership.
2. Parties are expected to submit their objectives and platform in their application to the Ministry of the Interior for approval.
3. Each party shall provide the authority with its financial resources, and its budget for each year must be submitted to the Ministry of the Interior.
4. Parties are banned from being involved in the judiciary and educational institutions.
5. Parties are banned from being active in the army, security forces, and Intelligence Service (*mukhabarat*).
6. No party may form links with non-Jordanian or foreign groups, or receive financial aid from abroad.



For the purposes of the constitution, a political party is a group of people who want to participate in political life. They must do so only through ordinary legal processes with peaceful intent. Article [3] explains this as follows:

A Party is every political organisation composed of Jordanians who, according to the Constitution and the provisions of the law, wish to participate in political life and wish to realise specific goals concerning political, economic and social matters by adopting legitimate and peaceful means to attain such principles.

To guarantee this, the constitution demands not only that the founding members of a party should be free from criminal tendencies and military pressure, but that they express a commitment to the country with no membership of any other political party inside or outside the country. Article [5] states:

The number of the founding members of any party shall not be less than fifty persons who meet the following conditions:

- A. To have completed 25 years of age.
- B. To have been a Jordanian for at least ten years.
- C. Not to have been finally convicted by a court of proper jurisdiction of a crime (except political crimes) unless he has been rehabilitated.
- D. To enjoy civil and legal competence.
- E. To reside in the Kingdom permanently.
- F. Not to claim the nationality of another country or foreign protection.
- G. Not to be a member of any other party, or any other non-Jordanian political partisan organisation.( For further information, see below)
- H. Not to be a member of the Jordanian Armed Forces, Security Forces or the Civil Defence.
- I. Not to be a judge.

The procedure for establishing political parties involves an application being submitted to the Minister of the Interior, signed by five of the founders. If the party establishment application meets the conditions set out by the law, the Minister must announce the establishment of the party within the specified time period of 60 days for all cases except those for which clarification is required. If the Minister refrains from an announcement of the recognition of the party within this period, he must give a reason. Any one of the five signatories has the right to challenge the Minister's decision and to

bring the case before the Court of Justice. The ultimate decision as to the establishment of a party rests with the judiciary and not the legislature. As Article [11] states:

- A. Each of the founders has the right to challenge, before the Court of Justice the Minister's decision referred to in Article (10) Paragraph (B) of this Law within thirty days of the date of receipt of the decision.
- B. The Court shall issue its decision within sixty days of the date of registration of the contestation petition at the Court's Registry.
- C. If the Court decides to revoke the Minister's decision, the Minister shall announce the establishment of the Party as of the date of the Court's decision, and the announcement shall be published in the Official Gazette.

If, prior to the formal announcement of the establishment of the party, the number of founders falls to less than 50, then the application is automatically nullified. Article [12] stipulates:

If, for any reason whatsoever, the number of the founding members becomes less than fifty before the announcement of the establishment of the Party in accordance with the provisions of this Law, the establishment application shall be considered as cancelled.

Article [13] explains that no party can engage in any activities in the public domain until its establishment is formally ratified by the Minister or the Courts: "The Party may not announce itself or pursue its activities until the issuance of the Minister's order approving its establishment or the issuance of the Court's decision revoking the Minister's decision to reject the establishment".

Political organisations are forbidden to use public buildings or charitable organisations for the purpose of spreading their party programme or gaining supporters. This is to ensure that no party can benefit unfairly through links with those holding political authority. Article [14] states this as follows, "The use of the premises, instrumentalities and assets of associations, charitable organisations and clubs for the benefit of any partisan organisation, shall be prohibited".

The law foresees the danger of manipulation of political purposes by financial interference from outside the country and from rich individuals. The law therefore, requires an open declaration of a party's investments and assets. Article [19] declares:

- A. (1) In its financial resources, the Party shall fully depend on Jordanian, local, known, declared and specified sources.
- (2) The Party may accept gifts and donations only from Jordanian citizens, provided that the amount given by any one person does not exceed five thousand Jordanian Dinars per year.
- (3) The Party may invest its assets and resources inside the Kingdom in the manner it sees fit, provided that such investments are declared and legitimate and that the objective therefore is not to achieve any personal gain or benefit to any of the members of the Party.
- B. The Party headquarters shall be exempted from all taxes and governmental duties imposed on immovable assets.
- C. For the purposes of applying the provisions of the Penalties Law, the Party's assets shall be considered public assets. The persons responsible for the Party's affairs and those working therein shall be considered, for the same purposes, public employees. Members of the leadership of the Party, shall be subject to the legal provisions governing illegal gain.

The financial status and transactions of each party shall also be subject to the scrutiny of the Minister of the Interior. Article [20] states:

The Party shall provide the Minister with a copy of its budget for each year during first quarter and a declaration of its financial means and sources and financial position. The Minister or whomever he authorised has the right to examine the Party's accounts and to audit its financial records.

Each party must clearly state its commitment to the most basic principles of democracy including respect for the law and the constitution, belief in the principle of multi-party democracy, and the renunciation of all forms of manipulation of institutions in the public domain which would interfere with the neutrality of those institutions. Article [21] states:

The Party shall be committed to the following principles and rules in pursuing its affairs and shall set out clearly in its Memorandum of Association:

- A. Adherence to the provisions of the Constitution and respect for the supremacy of the Law.
- B. Adherence to the principle of political pluralism in thought, opinion and organisation.
- C. Adherence to preservation of the independence and security of the Homeland, protection of national unity, renunciation of all forms of violence and non-discrimination among citizens.
- D. Adherence to the achievement of equal opportunities for all citizens to assume responsibility and participation therein.
- E. Adherence to avoiding any organisational or financial [*sic*] with any non-Jordanian body, as well as directing partisan activity upon the orders or directives of any foreign country or body.
- F. Abstention from partisan organisation and advocacy among the ranks of the Armed Forces, Security Instrumentalities and Civil Defence and the Judiciary, or from establishing military or para-military organisations of any form whatsoever.
- G. Avoiding the utilisation of the state's institutions, public organisations and all educational institutions for partisan organisation, and striving to preserve the neutrality of these institutions towards everyone in performing their duties.

This law also provides for penalties to be exacted in the case of those individuals who, on their own behalf or on behalf of their party, break the law by accepting funds from an external source, by participating in non-licensed parties, or by forming a military organisation. Article [24] states:

- A. Any one who receives, on behalf of the Party, any money from any non-Jordanian source shall be punished by imprisonment for a period not exceeding two years, or a fine not exceeding two thousand dinars, or with both penalties. Such money shall be confiscated and added to the account of the Treasury.
- B. Any one who participates in a non-licensed Party, or one that does not declare itself in accordance with the provisions of this law, shall be punished by imprisonment for a period not exceeding six months, or with a fine not exceeding five hundred dinars, or with both penalties.
- C. Any one who forms a military or para-military organisation shall be punished pursuant to the provisions of the Penalties Law.
- D. Any one who commits a violation of the provisions of this Law, for which no specified penalty has been stipulated therein shall be punished by imprisonment for a period not exceeding three months, or a fine not exceeding two hundred dinars. The two penalties shall be combined in case of repetition."

Although there are some elements (e.g. the banning of finance coming from external sources) which make this law different from political party laws in western democratic countries, this position can be justified due to the lack of experience with multi-party democracy.

### **5.3.1 The Parliamentary Debate over the Political Parties Law**

On July 5, 1992, the Political Parties Law was approved by the Chamber of Deputies, by 43 of the 52 deputies present for the vote. The rest of Parliament's 80 members were either on vacation or absent from the house. The process leading up to the law's approval had been difficult due to the differences of political ideologies in the Chamber of Deputies and because of the nature of the political interests involved.

The most crucial issue in the parliamentary debate was over clause [G] of Article [5], which proposed banning members of Jordanian parties from belonging to non-Jordanian organisations.<sup>(32)</sup> This clause was strongly opposed by many deputies who belonged to pan-Arab organisations, including the Socialist Arab Ba'th Party and the Communist Party.<sup>(33)</sup> It implied, moreover, the disengagement of Jordanian parties from their Palestinian links and affiliations.<sup>(34)</sup> Many Palestinian residents in Jordan are members of Palestinian organisations with branches in Jordan, including the Palestinian Front for the Liberation of Palestine [PFLP] and the Democratic Front for the Liberation of Palestine [DFLP], the Popular Union Party, the Democratic People Party, and the Jordanian Democratic Party.<sup>(35)</sup> The clause was eventually amended by the Chamber of Deputies to: "Not be a member of any other political party or non-Jordanian organisation".<sup>(36)</sup>

As well as the conflicts within the Chamber of Deputies, the Political Parties Law was subject to a series of disputes between the majority of deputies in the lower house and

the majority of senators in the upper house. The Senate, whose members are appointed by the King, insisted on introducing some additional clauses into the law.<sup>(37)</sup> According to the Jordanian Constitution, if one of the two Houses rejects a draft law or a bill and the other accepts it, both Houses must hold a joint meeting to discuss the matter, and the draft law must then be adopted by a two-thirds majority of the members of both Houses present.[Article 92]

The first dispute between the two houses occurred over Clause [G] of Article [5] which the Senate wished to read “Not to be a member of any other political party or organisation”. The compromise reached was “Not to be a member in any other party or any other non-Jordanian political partisan organisation”.

A further dispute occurred between the two Houses over Article [18] which sought to allow the inspection of party offices by the central authorities and the punishment of violators of the regulations. A compromise solution was reached allowing inspection on the direct orders of the prosecutor general and in his presence, along with a party representative.<sup>(38)</sup>

Further problems arose over the introduction of clause [G] to Article [21] banning government employees in educational institutions from involvement in political activities.<sup>(39)</sup> The amended bill was referred back by the Senate to the Chamber of Deputies, but was rejected.<sup>(40)</sup> The law was finally passed with a minor amendment banning school teachers from involvement in political activity inside schools and universities.<sup>(41)</sup>

A difference of opinion also emerged over Article [24] which stipulated that any one who may receive, on behalf of the party, any money from non-Jordanian sources shall be punished by imprisonment for a period not exceeding five years. The dispute centred around the time period of punishment. The Chamber of Deputies attempted to amend it

from five years to two years, whilst the Senate proposed to make the punishment according to the provisions of the Punishment Law No. 15, 1991. Agreement was finally reached on a time limit of two years.<sup>(42)</sup>

To avoid conflict between the Chamber of Deputies and the Senate, a reconciliation meeting was held on August 20, 1992 between the various parliamentary blocs and the Senate to settle the problem by consensus. Among the parliamentary blocs were the Islamic movement, the independent Islamic movement, the national Constitutional bloc, the Democratic Coalition; also present were members of the Legal Committee of the Senate.<sup>(43)</sup> Finally, the law was endorsed by a joint meeting of both Houses on August 21. It was then endorsed by Crown Prince Hassan on August 31, who was acting as Regent during King Hussein's absence in the USA.<sup>(44)</sup> Not only did the law increase political liberty for Jordanian citizens, but the process of its passage showed the increasing centrality of democratic debate within Jordan politics.

#### **5.4. Press and Publication Law, September, 1993**

The new Press and Publication Law was passed by the Jordanian Chamber of Deputies in September 1993. This law replaced the Press and Publication Law No.[33] of 1973, and created a more liberal legal framework for the press. The law may be considered as another step along the path of political liberalisation. It should be stressed that freedom of opinion and expression had been guaranteed to Jordanian citizens ever since the acceptance of the Jordanian Constitution of 1952. Article [15-1] of the Constitution declared "The state shall guarantee freedom of opinion. Every Jordanian shall be free to express his opinion by speech, in writing, or by means of photographic representation and other forms of expression, provided that such does not violate the law". However, over the years, this freedom was not respected in practice, mainly because the country was under martial law for most of the period which followed. The Press and

Publication Law constituted an instrument making the freedom of opinion and expression operational in practice, as well as in theory.

Due to the significance of the liberalisation of the press in Jordan's democratisation process, it is important to examine the content of the new law. The Press and Publication Law No. 1 of 1993 contains fifty-four articles dealing with the issues of press and publication.<sup>(45)</sup> [see Appendix 4] The main articles of the law cover the framework within which the press and other media can freely operate. Article [4] states this as follows:

The press shall be free to exercise its function of providing news, information and commentary and shall contribute to the dissemination of thought, culture and sciences within the limits of the Law and in the framework of safeguarding public freedoms, rights and obligations and respecting the freedom and sanctity of the private lives of others.

The law mentions that the freedom of journalism includes the citizens' right to free thought, expression of views and the right to secure news, and that all news agencies have the right to keep their sources secret. Article [5] details the freedom of press as including the following:

- A. Informing citizens of events, thoughts, trends, and information in the fields that concern the community at the local, Arab, Islamic and international levels.
- B. Making room for citizens to express their opinions.
- C. The right of access to information, news and statistics from various sources that are of interest to the citizens and of analysing, deliberating, disseminating and commenting thereon within the limits of the Law.
- D. The right of the Press Publication, News Agencies, Editors and Journalists to keep the sources of information and news they gather secret, unless the Court decides otherwise when hearing criminal cases involving the security of the state, prevention of crime or realization of justice.[sic]
- E. The right of citizens, political parties, cultural and social organisations and associations to own and publish press publications in accordance with the provisions of this Law.



The law also states that all political parties and individuals have the right to possess and publish newspapers. Article [6] states: "Any person, including political parties, shall have the right to own and publish press publications in accordance with the provisions of this Law".

Although previous articles granted freedom of the press, Article [9] set constraints on this by determining that journalists and each person working in journalism should abide absolutely by the profession and its moralities. Article [9] of this law describes these moralities as follows:

- A. Respecting the right and constitutional freedoms of individuals and not infringing upon the sanctity of their private lives.
- B. Presenting journalistic material in an objective, integrated and balanced way.
- C. Adhering to accuracy, honesty and impartiality in commenting on the news and events.
- D. Refraining from publishing anything that would sanction violence, fanaticism and hatred or call to racialism and sectarianism.
- E. Refraining from the utilization of journalistic materials to promote a commercial product or lessen its value.

A further restriction was emphasised with the banning of journalists from working for a foreign authority, which might otherwise allow them to pass on or receive anti-governmental information. The only legal form of relationship is based on the correspondence system for foreign media. Article [12] states, "Journalists and other workers in the press shall be prohibited from establishing any working relationship with any foreign Ordinance of Correspondents of Foreign Media issued in accordance with the provisions of this Law".

Furthermore, the law restricted the publishing of certain types of material which could harm the country's stability and lessen respect for the Jordanian state among other Arab and international countries or friends. Article [40] provides a list of materials on which restrictions were placed:

- A. Publications shall be prohibited from publishing the following:
1. News which offend the King or the Royal Family.
  2. Any information about the number, weapons, equipment, deployment or movement of the Jordanian armed forces, unless such publication is sanctioned by a responsible authority of the Jordanian armed forces, or any news item, drawing or comment which offends the armed forces or the security organs.
  3. Articles or materials which contain contempt to any religion or sect whose freedom is guaranteed by the Constitution.
  4. Articles which damage national unity, instigate the commitment of crimes, or encourage rancor, or foment hatred, discord and disharmony among members of the society.
  5. Minutes of closed sessions of parliament.
  6. Articles or news which are intended to shake confidence in the national currency.
  7. Articles or information which contain a personal insult to the Heads of State of Arab, Islamic or friendly countries, or the chiefs and members of diplomatic missions accredited in the kingdom.
  8. Articles or information which may offend the dignity or personal freedoms of individuals or damage their reputation.
  9. News, reports, dispatches, articles and drawings which are contrary to public morals and ethics.
  10. Advertisements promoting medicines and medical products, unless such publication is approved in advance by the Ministry of Health.
- B. Entry of publications from abroad shall be banned if such publications contain material prohibited by virtue of the provisions of this Law.

#### **5.4.1 The Parliamentary Debate over the Press and Publication Law**

The most heated debate during the discussion was over the article of the law which bans the publication of news on particular subjects. This article was passed by the Chamber of Deputies despite the legal committee of the Chamber recommending that it should not be passed. The legal committee argued that the article would be an obstacle to press freedom and would moreover cause confusion as the punishment law already covered some of the same concerns. The legal committee's recommendation was followed by a parliamentary debate over the article. Members of the Muslim Brotherhood and leftist deputies supported the legal committee recommendation not to pass this article, unless it was amended to give greater freedom. However, the

conservative and traditionalist deputies supporting this article argued that the media should accept its responsibility to support national stability. The article was finally passed by 37-29 votes.<sup>(46)</sup>

## **Conclusion**

The series of political reforms carried through following the general parliamentary elections of November 1989, clearly transformed the parameters of the political system. The abolition of martial law and the anti-Communist law were very important in paving the way for the democratic transition. The endorsement of the National Charter in 1991, which has been described as complementary to the 1952 Constitution, drew the guidelines for the democratic process. The Charter laid the basis for the passage of the Political Party Law adopted in 1992, which in turn paved the way for the resumption of legal multi-party political activity. The promulgation of the Press and Publication Law of 1993 was another step in enhancing the democratic movement in the country, limiting the government's power to put pressure on the press (the government could not, for example, close down any newspaper without the approval of the courts). Overall, the political reforms in Jordan during this period played a significant role in changing the national political ethos.

## **FOOTNOTES**

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8. Proceedings of the Chamber of Deputies, First ordinary session, February 17, 1990, p. 33.
9. King Hussein, Speech to the Nation, May 10, 1989, in Al-Dustur, May 11, 1989.
10. Ibid.
11. Speech from the Throne Address by his Majesty King Hussein I, to the two Chambers of Parliament at the opening of the first regular session of the 11th National Assembly, Amman, November 27, 1989.
12. Ibid.
13. Jordan Times, April 10, 1990.
14. King Hussein Address to The National Charter Royal Commission, April 10, 1990.
15. Jordan Times, April 10, 1990.
16. Telephone Conversation with the Chairman of the Nation Charter Royal Commission, Ahmad 'Ubaidat, June 10, 1996.
17. Personal Interview with Ahmad 'Ubaidat, Amman, April 30, 1995.
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19. Ibid.
20. Speech from the Throne Address by his Majesty King Hussein I, to the two Chambers of Parliament at the opening of the first regular session of the 11th National Assembly, Amman, November 27, 1989.
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25. Jordan Times, June 10, 1991.

26. King Hussein Address at the opening of the National Charter Conference, June 9, 1991.
27. Ibid.
28. King Hussein Address to the Jordanian National Congress after the Endorsement of the National Charter, June 9, 1991.
29. Ibid.
30. Mariam Shahin, "Set-Back for the King's Vision", Middle East International, December 18, 1992, p. 10.
31. Political Parties Law, Number (32) for the Year 1992, Amman, Jordan, January, 1994.
32. Proceedings of the Chamber of Deputies, Third session, June 29, 1992, pp. 11-14.
33. Mariam Shahin, op. cit., p. 10.
34. "Jordan" "Law Legalizing Parties Revives Political Life in Jordan", Middle East Reporter, Vol. 70, October 1992, p. 12.
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37. "Jordan" "Law Legalizing Parties Revives Political Life in Jordan, op. Cit., p. 11.
38. Proceedings of the Chamber of Deputies, The Extraordinary session of the Third Session, Joint Meeting between the two Houses, August 20, 1992, p. 7.
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41. Ibid.
42. Ibid.
43. Ibid.
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**Chapter Six**  
**The Operation of the Parliamentary Democratic System;**  
**The Function of the Legislature in Relation to the Executive Authority,**  
**1989-1993**

**Introduction**

Although the Chamber of Deputies has the power to have the cabinet resign, holds votes of confidence in individual ministers, enacts legislation, passes the budget law and so on, the King still maintains various rights such as the power to appoint and dismiss the Prime Minister and his cabinet. Between November 1989 and November 1993, the Jordanian parliament was characterised by gradual democratic transformation. The functioning of parliament was transformed from being a rubber stamp during the previous period into a more active observer of the executive authorities. The relationship between the legislative and executive authorities was re-shaped within a framework of constructive dialogue. Parliament had an active, constructive role in legislation, which established the concept of public participation in the decision-making processes of the country. During this period there were three governments, those of Mudar Badran, Tahir al-Masri and Sharif Zaid Bin Shakir.

**6.1. Mudar Badran's Government: December 4, 1989-June 19, 1991**

The first step in the King's answer to the demands for political liberalisation in the Kingdom was the appointment of a new cabinet. On December 4, 1989, Mudar Badran, a conservative who had been prime minister twice previously, firstly from mid-1976 to late 1979 and then from late 1980 to early 1984, was appointed prime minister.<sup>(1)</sup> Despite Badran's political background, this move was widely seen as one which would enable the process of political liberalisation to move forward.

The King's letter of appointment to Mr Badran was concerned with the promotion of democracy and emphasised popular participation in the parliamentary supervision of the government, and close co-operation between the two authorities within a framework of constructive dialogue and a feeling of national responsibility. The latter stated: "Democracy is a way of life and not solely confined to government. I therefore emphasise the importance of establishing and spreading democracy". The King requested the government to pay special attention to public liberty, but also emphasised the need for public order:

Democracy also means freedom and responsibility within the framework of the law. Special attention should be paid to the question of public liberty, which is the essence of human rights. By the same token, as much attention and protection should be paid to public order. Harmony and equilibrium between public liberty and public order constitute an important pillar for our national security and a protective shield for democracy.<sup>(2)</sup>

### **6.1.1 Composition of the Mudar Badran Cabinet**

Previously, the appointment of a new prime minister by the King had been followed by the almost immediate formation of a new cabinet. This, however, was not the case now, as the cabinet now needed to obtain support from at least 51% (40+1) of the members of the Chamber of Deputies. In order to achieve the required parliamentary support, Badran had to appoint a number of deputies to guarantee the vote of confidence. Thus, he spent two days in intensive negotiations, particularly in parliament with the Muslim Brotherhood, the largest bloc in parliament, on the composition of the cabinet. These negotiations were broken off when the latter demanded that they run a number of ministries including those of Education, Information, Social Affairs and Islamic Affairs. Badran rejected these demands and as a result the Muslim Brotherhood did not participate in the government. Badran then persuaded three independent political Islamic figures in parliament, Abd al-Baqi Jammu, Ali al-Faqir and Yusif Mbaidin, to join the cabinet.<sup>(3)</sup> The appointment of these independent Islamic deputies

caused acute embarrassment to the Muslim Brotherhood. Badran also managed to split the Democratic Assembly bloc. Despite the fact that the Democratic Assembly bloc had stated that its members would not join Badran's government, two of its number, Ibrahim al-Ghababshah and Abd al-Karim al-Dughmi, were appointed as ministers.<sup>(4)</sup>

Badran's cabinet was composed of 24 ministers, fourteen of whom were unelected, being either ex-ministers or having had a career in the civil service. Ten ministers were drawn from the Chamber of Deputies. Most of the latter were neither well known nor experienced administrators. Badran favoured continuity in terms of choosing his senior ministers. He retained Salim Masa'adah and Marwan al-Qasim as Minister of the Interior and Foreign Minister respectively. They also served as his deputy premiers.<sup>(5)</sup>

#### **6.1.2 Programme of Mudar Badran's Government**

Under the Constitution, the prime minister must seek a vote of confidence from the Chamber of Deputies on the proposed government programme. The debate prior to the vote of confidence can produce some change in the government programme. Mudar Badran's programme announced his government intention to reform the tripartite relationship between government, parliament, and Jordanian citizens. He stated that his government viewed: "the principle of consultation and democracy as the best formula to demonstrate freedom, human dignity, and equality". Freedom and authority, however, were not seen as contradictory. Indeed, Badran confirmed that there could be "no freedom without order".<sup>(6)</sup> The ministerial statement which Mudar Badran's government presented to the Chamber of Deputies on December 19, emphasised the concept and meaning of democracy and paid special attention to public liberty through government decisions and policies. This was stated as follows:

- A. The government's political desire is to abolish martial law and liquidate its effects by:
  - 1. Returning confiscated passports.



2. Guaranteeing the freedom of work, travel and movement for all citizens.
  3. Releasing political prisoners (detainees).
  4. Reinstating the elected administrative boards of the three Jordanian newspapers (i.e. al-Sha'ab, al-Dustur, al-Ra'i).
  5. Abolishing the decision which had dissolved the Jordanian Writers Association of 1987.
- B. The government desires the suspension of martial law, excluding cases presently under investigation in the courts.
  - C. The government promises to abide by the provisions of the constitution literally and materially.
  - D. The government emphasises that constitutional promotion is embodied in the maturity of public opinion and in the extent to which each citizen is committed to defending human rights in both knowledge and practice; his/her keenness in protecting national security; and respecting others' views in a climate of forgiveness and freedom. Constitutional promotion is also embodied in the citizens' resistance to corruption and rejection of any violation of other citizens' liberties, as well as each citizens' right to express him or herself through thought, speech or action.
  - E. The government emphasises that the Shura "consultation" combined with the operation of democracy constitute the predominant features of the cultural (civilisational) experience which is based upon public liberty and human dignity.
  - F. The government emphasises that freedom and authority are not contradictory but complementary. Thus, the government can allow public liberties such as equality before the law and judiciary, occupancy of public posts, equal opportunities, the right of the citizen in embracing a belief and their right to security, education, work, housing, and movement. Included in the citizens' rights is also that of being free to form associations and organisations, to have freedom of expression via the media, and not to suffer oppression for one's views or philosophical affiliations.
  - G. The government emphasises that it will formulate a National Charter emanating from the provisions of the constitution and the constant principles upon which the Kingdom is based. The rules of the National Charter will be aimed principally at consolidating the basic local and national conceptions which guide the country's policies, and upon which the political organisations could co-operate with the legislative authority.<sup>(7)</sup>

In order to win the vote of confidence, the government both made some immediate reforms and promised to initiate a range of political reforms reflecting the political mood of the country. Badran's government began procedures towards political liberalisation by gradually suspending the rule of martial law until such time as it could

be revoked altogether. He ended the restrictions on travel imposed in the past by the authorities as a penalty for undesirable political activity, which had included the practice of seizing passports. Some 8,700 people were believed to have been affected by the withdrawal of passports prior to this.<sup>(8)</sup>

Prior to the vote of confidence, the government withdrew a number of regulations against the press on December 24, 1989. Journalists banned from writing, including one of the new deputies, Fakhri Qawar, now had the proscription lifted. The boards of directors of the three Arabic daily newspapers which had been replaced in August 1988 by government appointees, were permitted to return to their journals; two of the three editors-in-chief also returned to resume day-to-day control.<sup>(9)</sup>

#### **6.1.2.1 Vote of Confidence in the Cabinet Programme**

It is important to stress that Badran's government faced many difficulties on the way to achieving the vote of confidence from parliament, which meant that he was often forced to compromise his agenda. There was considerable negotiation before the government programme was finally approved by parliament. In response to the ministerial statement of Badran's government, all the parliamentary blocs demanded that the government complete the democratic process in the country as a condition for the vote of confidence. Most blocs concentrated on the importance of abolishing martial law, reinstating employees in university and government institutions who had previously been dismissed for security reasons, and preventing the security services from intervening in civil service appointments. The largest number of demands that the government had to deal with as a condition for the vote of confidence were those of the Muslim Brotherhood. The Muslim Brotherhood's conditions for the vote of confidence included the 14 points which follow:

1. The application of Islamic laws in education, social affairs and the economy.

2. The reinstatement of those dismissed from their university and government posts for security reasons.
3. Limitation of the influence of the Intelligence Service in the hiring and firing of citizens to government and university posts and curbing its interference in promotions in education (through scholarships), the granting of government permissions or allowing charitable organisations.
4. The lifting of martial law within six months.
5. Continued support of the *intifada*.
6. Support of all liberation movements against 'imperialism' especially the one in Afghanistan.
7. Application of laws that would curb corruption.
8. A demand that all Jordanian public and private holdings outside the country be returned to Jordan.
9. Encouraged stringency in government spending.
10. Abolishment of interests given on small loans in the agricultural sector and housing loans.
11. Permit for teachers to create union which would protect their rights.
12. Establishment of an Islamic law faculty at Yarmouk University.
13. A ban on production and sale of alcohol by Muslims and that alcohol consumption be forbidden in government departments and on the national airliner-royal Jordanian.
14. The establishment of a national Islamic university.<sup>(10)</sup>

Badran considered these demands as the basis for negotiation and therefore attempted to meet the conditions in part in an attempt to build support in the forthcoming vote of confidence.

Badran did not escape criticism during the confidence debate. Deputies representing the Islamists, Leftists, and leading members of the previous government attacked him over the corruption and mismanagement which had occurred during his previous government. For example, Dhuqan al-Hindawi, a leading member of the Constitutional Bloc, accused Badran of incurring heavy foreign debt during his previous premiership at the end of 1988. Other deputies contended that mismanagement and corruption actually started during his last premiership.<sup>(11)</sup>

Shocked by such criticism, Mr Badran fought back at the end of the debate on the government programme and emotionally defended himself against the severe

accusations made by a numbers of deputies: "If it were left to me, by God, I would have left this place immediately but I have listened to accusation after accusation against me personally. Why? only to make this experience succeed".<sup>(12)</sup> He promised further political concessions designed to secure parliamentary approval. First, and perhaps his most popular concession, was his promise that martial law would be lifted in four to six months. Second, he committed himself to amending or revoking a number of laws, including the 1935 Defence Law, the 1953 anti-Communist law, the law banning political parties and the 1986 Electoral Law. Third, he mentioned a series of changes reducing the power of the domestic security forces. Fourth, he promised that the intelligence service would no longer have a say in such matters as appointments in the state sector and the award of scholarships. Fifth, the university lecturers who had been dismissed from posts on security grounds would be reinstated. Sixth, he promised to go further in eradicating corruption. Seventh, he stipulated that a statement of total personal assets would be compulsory for all those holding high administrative or political office. Eighth, he promised that those who were proved to have accepted bribes, or who had exploited their posts or abused them, would be tried and that parliamentary immunity would be lifted from any deputy found to have been involved in corruption.<sup>(13)</sup>

Major reforms were put in the government programme as a result of the parliamentary debate. The wide range of reforms promised by Badran eventually persuaded most representatives in the National Assembly to give his programme their support. After three days of debate, on January 3, 1990, the government eventually received parliamentary approval. He won by 65 votes to 9, with six abstentions. His supporters included the Muslim Brotherhood bloc which backed him after he agreed to incorporate their demands gradually. Most of the 15 deputies who did not vote for the government were leftists.<sup>(14)</sup>

#### 6.1.4. Cabinet Reshuffling

During Mudar Badran's government the cabinet was reshuffled twice. The first change in the cabinet was conducted in mid-June 1990. Awni al-Masri, the minister holding the planning portfolio, asked the prime minister to accept his resignation in order to concentrate on running his own business, and was replaced by Dr Khalid Amin Abdullah. A second addition to the cabinet was Hakmat al-Sakit, who became Minister of State for the Prime Minister's Affairs, a position which had not been filled the previous December. Nabil Abu al-Huda and Ibrahim Ayyub exchanged positions, to become Minister of Transport and Communication, and Supply Minister *respectively*.<sup>(15)</sup> At the end of June, the National Bloc issued a statement criticising the government's achievements and calling for the formation of a national unity government with the participation of all political trends in parliament.<sup>(16)</sup>

As a result of the Gulf crisis, a second comprehensive cabinet reshuffle was completed on January 1, 1991. Mudar Badran wanted to change the balance in order to improve the working relationship between the government and parliament, thus he dismissed the nationalists and independents from the cabinet and granted the Muslim Brotherhood five ministerial portfolios including the ministries of education and social development which the Islamists had previously sought. The Muslim Brotherhood were also granted the ministries of Islamic affairs, Justice, and Health. Two independent Islamists won the ministries of transport and communication, and agriculture.<sup>(17)</sup> The participation of the Islamists in the government was considered necessary as large popular demonstrations against western intervention in the Gulf occurred throughout Jordan. This move reinforced the impression that the Islamists had become a strategic ally of the King, in linking the regime and the people.

### **6.1.5. Major Legislation Initiated**

Legislation inevitably constitutes an important field of interaction between the executive and legislative authorities. According to Article [91] of the Jordanian Constitution, the cabinet should present all draft laws to the Chamber of Deputies whose representatives are authorised to accept, modify, or reject them. No law may be enacted or issued unless it has been endorsed by the two houses and ratified by the King. Moreover, the initiation of laws is not restricted to the executive alone: according to Article [95], any group of ten or more deputies and senators has the right to propose laws. Such proposals should be presented to the legal committee in the house for its opinion. If the House accepts the proposal, it is then referred to the cabinet to be formulated as a draft law and presented to the Chamber of Deputies for debate and endorsement.

During the first year ordinary and extraordinary sessions of the eleventh parliament (November 27, 1989 to March 20, 1990), the government of Mudar Badran submitted to the National Assembly 26 laws and draft laws (some having been requested by individuals deputies) which were then endorsed by parliament, the most important of which was the 1990 budget law.

During the second year ordinary and extraordinary sessions (November 17, 1990 to March 16, 1991), the government submitted 97 laws and draft laws to the Chamber of Deputies. By the end of the second session, 41 laws had been endorsed by the Chamber of Deputies in 33 parliamentary meetings.<sup>(18)</sup> The passage of these laws represented the successful achievement of most of the government's objectives. The most important laws and draft laws endorsed by the Chamber of Deputies are covered below, with the exception of the 1990 and 1991 budget laws which are discussed in section 1.7 and 1.8 respectively.

### 1. The Illegal Earnings Law (1990)

This was initiated at the request of individual members of the Chamber of Deputies. According to this law, all members of the government in high positions had to submit a statement of their financial position (covering also that of their spouses and dependent children). Those whose financial position had to be revealed were not only the Prime Minister and ministers, the speaker of the National Assembly, and Deputies, but also directors of official public institutions, government high officials, the Municipality Governor of Amman, leaders of Professional Associations, Trade Union Chairmen, and all company directors of those companies in which the government holds more than a 40% share.

### 2. Economic Crimes Law (1990)

The economic Crimes Law, which could be applied retrospectively, was initiated at the request of individual members of the Chamber of Deputies. It reinforced the process of questioning and interrogating those accused of matters related to abusing the state's financial status, misuse of official positions, and further crimes such as bribery, misappropriation and misuse of authority.

### 3. The Authors' Rights Law (1990)

This law was issued to protect authors' rights to publish and to grant copyright so that nobody could have access to their publications without their consent.<sup>(19)</sup>

In addition to these important laws, for the first time in the parliamentary life of Jordan, an investigation committee was set up in mid-July 1990 to look into cases of financial and administrative corruption in government. A three-member investigation committee was formed to examine cases of reported corruption.<sup>(20)</sup> A failure to investigate

corruption would have led to popular disillusionment with the newly liberalised political process. However, addressing the issue of corruption was problematic both because of the suspected extent of the practice in the past, and the seniority of those involved. Of the cases completed in this period, the most important were as follows: the secret sale of one third of Jordan's gold reserves in the autumn of 1988; the circumstances surrounding the importation of wheat, barley and animal feed; a range of construction contracts including the Abu Nusseir Housing project, the Jafr-Azraq road scheme, the Jubeiheh amusement park and the Swaqa prison.<sup>(21)</sup>

#### **6.1.6. Interpellations and Questions**

Interpellations submitted in writing to the cabinet or to individual ministers requiring an official response, have a long tradition in parliamentary history, ensuring the responsibility of the government and individual ministers to parliament. Through interpellations as well as spoken questions, the executive can be controlled, whether by MPs criticising the government or by pointing out violations of the law and contravention of regulations. Interpellations and questions give parliament the opportunity to acquire necessary information concerning government policy and the activity of its central administration.

The right of interpellation and questioning in the Jordanian parliament is the right of any individual representative. According to Article [96] of the Jordanian Constitution, any representative or senator has the right to address interpellations or questions to ministers on any public matter. During the Mudar Badran government, parliamentary representatives presented five interpellations and 150 questions. The most frequent themes in the questions were government policy towards the state debt; military service; the government's commitment to ending martial law; road construction; foreign affairs and employment. Of the five interpellations presented to the government, deputy



Ahmad al-Abbadi submitted the first four and Atif al-Batush the last. The interpellations were as follows:

- Interpellation No. (1) was submitted on November 20, 1990, concerned the absence of diplomatic activity by the Minister of Foreign Affairs during the Gulf Crisis. The minister gave his response on the same day.
- Interpellation No (2) was submitted to the information minister on November 20, 1990. He was asked to reveal the ministry's programme and to reconsider the information ministry's role. He gave a response on the same day.
- Interpellation No. (3), concerning the distribution of Incentive Awards to government employees, was submitted to the cabinet on December 1st 1990. The cabinet promised to review the case.
- Interpellation No. (4) submitted to the cabinet on December 12, 1990 concerned the Awards of Merit to government employees. This was also promised to be reviewed by the cabinet.
- Interpellation No. (5) was submitted on February 16, 1990 to the government and concerned corruption in the Labour of Land Transportation Union. There were no accounts of expenditure. The Transportation ministry promised to investigate the situation.<sup>(22)</sup>

In theory, interpellations are an effective method of instigating political action. However, as Abdullah al-Nsur pointed out to the researcher, "the purpose of the interpellations submitted by representatives to the government was to bring about a political storm inside the government".<sup>(23)</sup> Interpellations principally serve to restrict unilateral actions by ministers and to make them accountable to parliament. Although participation in interpellations was in general unsuccessful, questions were a sign of strength for the democratic process simply because they allowed actions of the government to be questioned.

### **6.1.7. The Budget of 1990**

The budget law constitutes the most important opportunity for MPs to look at the country's finances in the public services. The parliamentary approval of the annual budget law is normally the most important act of legislation in any year. The budget is regarded as a leading indicator of economic and social development. The budget debate serves as a good opportunity for the evaluation of overall policy and for judging the activities of both the government and of individual portfolios. The approval of the budget law is regarded as a vote of confidence.

It should be noted that the 1990 Jordanian budget law was adopted at a time when Jordan faced a great economic challenge. This had followed the economic crisis at the end of 1988, which led to the Jordanian government being bound for the next five years to the readjustment programme implemented by the IMF in April 1989. The programme laid down a prescription for the reduction of the budget deficit.

The procedure for putting the proposed budget for the year 1990 into effect was interrupted by the convening of the newly-elected parliament and the need for the new government to obtain a vote of confidence under the terms of the provisions of the constitution. Whereas budgets had in the past simply been endorsed by the government, the Constitutional system required that the budget be presented to the National Assembly. The Prime Minister sought to avoid complications in this matter by retaining Basil Jardanah as finance minister. The budget was duly submitted to the National Assembly for debate on January 6, 1990.<sup>(24)</sup> Before the budget debate in parliament, the house's finance committee took evidence from and carried out consultations with the country's leading economists as well as from government officials over a period of three weeks. As a result, the house's finance committee recommended that Jordan's semi-autonomous institutions such as the national carrier,

Royal Jordanian, the Jordan Investment Corporation and the Social Security Corporation should be included in the state budget and presented to the National Assembly for debate.<sup>(25)</sup> After 38 hours of parliamentary debate, the budget law was passed by 52 votes to 16, with the support of all but one Muslim Brotherhood MP, and with only the radical and leftist members of the Democratic Assembly bloc and a handful of others voting against it.<sup>(26)</sup>

The state budget law was passed with only slight changes and so gave endorsement to the IMF readjustment programme. King Hussein had warned that any rejection of, or radical amendment to, the state budget law could cause a constitutional problem, and stated that Jordan had to meet its international obligations. The main amendment by parliament to the budget was a reduction in the level of government expenditure by JD11.869mn to JD1,093.9mn, leaving an expected budget deficit of JD187.2mn. This included a reduced allocation for the Ministry of Information and cuts in government aid to the Jordan Cement Company by JD6mn.<sup>(27)</sup>

The parliamentary budget debate was characterised by deputies' demands to increase public sector services, raise the salary of civil servants and cancel interest on farmers' loans. In addition, deputies raised their own constituencies' concerns. For example, Jamal Haddad, a deputy from Ajloun district, demanded the following:

1. The establishment of an agriculture college in Ajloun District.
2. The building of a general hospital.
3. The upgrading of Ajloun District to a Governorate.<sup>(28)</sup>

#### **6.1.8. The Budget of 1991**

The 1991 state budget law was the first comprehensive official document which followed the economic difficulties experienced by the country as a result of the Gulf Crisis. The nature of the 1991 budget law highlighted the profound changes with which

the Jordanian economy had to cope. For the first time, Jordan could not hope to receive any Arab aid, although it could possibly compensate for this loss by attracting sufficient aid from the EC, individual EC member states and Japan.

The state budget law was presented by the government to the Speaker of the Chamber of Deputies on December 2, 1990, who then gave it to the Finance Committee of the Chamber for consideration.<sup>(29)</sup> After a review by the house's finance committee, the main changes recommended were a reduction in the level of expenditure from JD 1,119.21mn to JD1,109.21mn and to reduce the budget deficit estimated at JD216.71mn, to JD206.71mn.<sup>(30)</sup>

Following the Finance Committee's review, the budget was re-submitted to the Chamber of Deputies members for debate. Deputies representing different political trends were critical of various aspects of the budget. Some members, especially those belonging to the leftist Democratic Assembly bloc, took issue with the whole thrust of the budget. Bassam Haddadin, a member of this bloc, criticised the budget as having followed World Bank policy in prescribing reduced spending and increased revenue. He opposed the budget, and requested that the government form a joint committee of members from the Chamber of Deputies and the Ministry of Finance to draw a new budget law, giving the following reasons:

1. The budget was a continuation of previous budgets.
2. The budget was dependent on increasing import and tax revenues.
3. The budget was dependent on national and international borrowing.
4. The budget did not take into consideration the effects of the returnees as a result of the Gulf Crisis.
5. The budget did not address the problem of rising unemployment.<sup>(31)</sup>

Much criticism also came from the Muslim Brotherhood bloc. Ali al-Hawamdah, a Muslim Brother criticised the budget on the following grounds:

1. It involved the payment of interest to national and international lenders.
2. It required borrowing JD390mn from the Jordanian Central Bank.
3. It did not consider the *zakat* law as an important source for the country budget, which could bring in up to five or seven times more revenue than tax collection.<sup>(32)</sup>

Fu'ad al-Khalafat, a Muslim Brother, also disagreed with the budget proposal, giving the following points:

There was a heavy expenditure by the state run media and television corporations.

- A. It involved the appointment of foreigners with high salaries.
- B. It allowed a budget of JD180,000 a year to the Jordanian Information Bureau based in Washington which did not promote any useful publications.<sup>(33)</sup>

Dhuqan al-Hindawi a member of the Constitutional Bloc also disagreed with the budget law, and criticised the budget for not solving problems in industry and agriculture, or tackling unemployment. Al-Hindawi stated that "the budget law proposal does not cover the political procedures and initiatives which could transform the economic situation into a real and viable condition".<sup>(34)</sup>

Much criticism from different blocs was aimed at the semi-autonomous institutions which were not included in the state budget law. It was pointed out that the country was ultimately financially responsible for these institutions.<sup>(35)</sup>

Some deputies brought together both national and constituency concerns. For example, Muhammad al-Mu'arar, a deputy from a North Bedouin constituency made two sets of demands in his speech:

A. National Demands:

1. To search for substitute markets for Jordanian goods.
2. To limit the imports of luxury goods.
3. To establish light industries for the national market.
4. To direct capital expenditure to development projects to absorb and limit the level of unemployment.
5. To make use of and invest in the country's natural resources.
6. To increase the salaries of civil and military servants.

B. The Constituency Demands:

1. To increase the educational level in the Bedouin regions.
2. To support farmers and establish agricultural projects.
3. To provide all Bedouin towns and villages with Electricity.
4. To conduct health and social educational programmes in the Bedouin regions.<sup>(36)</sup>

In order to assist with the passage of the budget, before the vote of confidence, the prime minister promised a series of measures including the creation of 4,000 new jobs in the government sectors under the 1991 budget.<sup>(37)</sup> The budget law was finally passed by the Chamber of Deputies by 50 votes to 25, with three abstentions and two deputies absent from the Chamber.<sup>(38)</sup>

In addition to the ordinary budget, the finance minister unveiled an JD120mn emergency budget. This budget was aimed at dealing with the negative economic aspects arising from the Gulf Crisis, and was to be financed from international compensation funds in the form of bilateral and multi-lateral aid. The balance of payments deficit would be reduced by limiting imports to non-luxury items. This would offset the cost of absorbing the large numbers of Jordanian returnees from the Gulf states, and increase the country's capability in restoring basic and strategic commodities.<sup>(39)</sup>

## **6.2. Tahir al-Masri's Government: June 19, 1991 to November 21, 1991**

On June 17, 1991, King Hussein authorised Tahir al-Masri to form a new cabinet to replace the government of Mudar Badran. Al-Masri had been elected as the representative for Amman Third constituency in the general election of November 1989, and had largely won on the Palestinian vote.<sup>(40)</sup> He had been a liberal foreign minister in Mudar Badran's government, before which he was the head of the Chamber's Foreign Affairs Committee. In his letter of appointment to the new prime minister, the King stressed the importance of amending laws which were relevant to the completion of the democratic process, taking further the establishment of a system of political pluralism. He praised the country's progress towards democracy, expressing his hope that it would continue in the future. The King said that his aims for the new government involved:

Working towards issuing or amending laws related to the completion of the democracy-building process, and Proceeding with the application of political pluralism. Among these proposed laws are the press and publication law, the law permitting political parties to exist in accordance with the provisions of the Constitution, the guidance of the National Charter's principles, our orientation speech at the national conference, and the higher interest of the state.<sup>(41)</sup>

The King also emphasised the importance of building a democratic state, stating that:

Democracy is not only institutions but also a general approach and a way of life. To consolidate and deepen its conceptions, state and private institutions should themselves cope with democracy philosophically and behaviourally. It may be useful, therefore, to proceed in teaching courses about democracy, covering its rules, morals and responsibilities as reflected in the constitution, the national charter and its literature, in various institutes and appropriate educational and cultural establishments.<sup>(42)</sup>

In addition, the King's aims for the al-Masri government were that it should negotiate with Israel and at the same time help the government with its task of withstanding public pressure at home.

The appointment of al-Masri at this time was clearly a political move to repair the diplomatic damage which Jordan had suffered in its relations with the Gulf states and with the West due to its position during the Gulf crisis. His appointment was viewed as a positive signal to the United States which had been exploring the possibility of Palestinian representation at a proposed peace conference through a joint Jordanian-Palestinian delegation. Al-Masri was acceptable to both sides, those Jordanians of Palestinian origin and the PLO.

#### **6.2.1. Composition of the Tahir al-Masri Cabinet**

On June 19, 1991, al-Masri formed his new cabinet, consisting of 25 ministers. Eleven of these were members of the Chamber of Deputies, and fourteen were from outside parliament.<sup>(43)</sup> Politicians with Muslim Brotherhood affiliation were excluded from the new government, despite some having participated for six months in the previous government of Mudar Badran. It may be safely assumed that the decision to drop the five Brotherhood ministers had the endorsement of the King. The move completed a remarkable reversal of fortune for the Islamist organisation, which had 22 deputies in the Chamber of Deputies. It is, however, unlikely that the Muslim Brotherhood were too distressed at their exclusion from the cabinet, as they would have been uncomfortable serving a premier chosen to show the USA that Jordan was willing to negotiate with Israel under certain circumstances. On 18 June a statement was issued by the leader of the Muslim Brotherhood, Majid Khalifah, to the effect that the organisation would not take part in any government willing to negotiate with Israel or its American partner.<sup>(44)</sup> No doubt the Brotherhood welcomed the opportunity to return to the backbenches, where they could regroup, and re-establish themselves as the principal opposition bloc, free from the constraints of government responsibility.



### **6.2.2. Programme of Tahir al-Masri's Government**

On July 11, 1991, al-Masri presented his ministerial programme to the Chamber of Deputies. He committed himself to a consultation process with all blocs within parliament and emphasised his government's dedication to Jordan's democratic process. The important objectives in his ministerial programme were the following:

1. To consolidate national unity and enhance the democratic process in order to strengthen the concept, broaden its base, transcend political plurality and attain effective political participation in decision-making by respecting the views of others and not monopolising the "truth".
2. To strengthen the pillars of the state law, at the same time respecting and observing citizen's rights, and ensuring the principle of legitimacy, separation of power, institutionalisation, and the superiority of the law.
3. To enact laws concerning constitutional liberties such as the parties' law, and the press and publishing law.
4. To put an end to martial law and to continue the process of reconsidering political prisoners' files.
5. To provide a comfortable climate for the media in which it can be encouraged to protect the nation and citizens rights.
6. To increase both public and private investment, concentrating mainly on the public sector.<sup>(45)</sup>

### **6.2.3. Vote of Confidence in the Cabinet Programme**

An extraordinary session of parliament began on July 8, 1991, to discuss the policy statement of al-Masri's government. Rather than wait until October for the reconvening of parliament, al-Masri preferred to pursue an earlier parliamentary vote of confidence for his cabinet during the July extraordinary session.

In response to the ministerial programme, the various parliamentary blocs, as a condition for the vote of confidence, demanded that the government of al-Masri

complete the process of democracy, as well as meeting other requirements. The largest number of major demands that the government had to deal with as a condition for the vote of confidence were those of the Democratic Assembly bloc. These demands included the abolition of all relevant procedures related to martial law; developing and updating all laws and regulations concerning citizens' rights and public liberty; implementing democracy in order to cope with political, economic, and social development; safeguarding the right of all social sectors to form their own professional organisations, trade unions, and other social organisations; guaranteeing the rights of all the state employees, universities, and public institutions to form their own organisations, and allowing young people to form a union.<sup>(46)</sup> The Constitutional Bloc wanted to know whether the government aimed to abolish the martial laws totally or whether it sought to replace them by administrative martial instructions. In addition to the democracy reforms, the Constitutional Bloc were concerned about the implementation of the government programme which would meet a great deal of the people's demands.

The Muslim Brotherhood Bloc, having declared earlier that they would not vote for a government which was going to make peace with Israel, concentrated mostly on issues of national unity, abolishing martial law, improving education, and supporting youth. In response to the Chamber of Deputies demands, al-Masri picked up on some of the concerns raised by the deputies. He declared that the government would fully activate further political liberties in the country, in enhancing democracy in all walks of Jordanian life especially through elections for trade unions and professional associations, and the establishment of student and youth organisations.<sup>(47)</sup>

As a result of this debate, on July 18 1991, al-Masri's government won the vote of confidence by 47 votes to 31, with one abstention and one deputy absent from the Chamber. Thirty-one of the favourable votes came from the conservative and traditionalist trends. While the independent Islamic bloc chose to vote for the

programme, the 22 Muslim Brotherhood deputies were opposed.<sup>(48)</sup> Despite this, al-Masri's government was assured of its confidence vote when 10 of the 13 members of the Constitution Bloc decided to give their full support to the new government. Of the remaining 3, two voted against and one abstained.<sup>(49)</sup> Two leftists also voted against the programme.

#### **6.2.4. Cabinet Reshuffling**

On October 3, 1991, the eve of the peace negotiations with Israel, al-Masri reshuffled his cabinet in order to eliminate any opposition to negotiations with Israel and to strengthen the position of the government. Al-Masri dropped those ministers who were uncomfortable with Jordan's participation in the peace process. These included Muhammad Faris al-Tarawnah, the pan-Arab nationalist minister of state for cabinet affairs, and the Islamist, Ra'af Najim, who had held the Awqaf and Islamic affairs post. A totally unexpected move was the resignation of al-Masri's influential foreign minister, Abdullah al-Nsur. Al-Nsur would probably have led the Jordanian delegation at the peace conference, and would therefore have been most closely identified with it. However, al-Nsur may have calculated that his association with the peace conference, the outcome of which clearly remained highly uncertain, was too great a political gamble for him to take. Al-Nsur was replaced by Professor Kamil Abu Jaber.<sup>(50)</sup>

The government reshuffle instigated a revolution among National Assembly deputies against al-Masri's government. On October 7, deputies belonging to the Democratic and Constitutional blocs, i.e. mainly leftist and establishment figures, participated with 22 Muslim Brotherhood deputies and four independent Islamist deputies in submitting a petition demanding the resignation of the al-Masri government on the grounds that it was incapable of dealing with pressing domestic and international issues. The government was also accused of failing to repeal martial law, end the excesses of the security forces and resist the curbs on the political liberalisation process. The petition

stated: "The government of Tahir Masri is unable to confront the requirements of the current phase, both on the local and international level, and therefore the undersigned announce that this government does not enjoy their confidence and are demanding its resignation".<sup>(51)</sup> Altogether 50 members of Parliament out of a total of 80 supported the demands, effectively delivering a vote of no confidence in the government.<sup>(52)</sup> The deputies signing the petition had different reasons for demanding that the government resign. The Muslim Brotherhood deputies and the four independent Islamist opposed the peace talks with Israel. The Constitutional Bloc of former ministers and pro-government figures supported the peace process but argued that the government was too weak to handle the country. Tahir al-Masri appeared discouraged by this setback, and on November 16, 1991 decided to end his efforts, resigning after only five months in office.<sup>(53)</sup> In Jordan's new era of political liberalisation, parliament already had the power to force the resignation of the prime minister through a petition supported by a simple majority of MPs. The result in this case was that the moral authority of al-Masri's government was seriously undermined.

#### **6.2.5. Major Legislation Initiated**

During the National Assembly's extraordinary session in the second parliamentary session, the government of Tahir al-Masri submitted to the National Assembly 13 laws and draftlaws which were then endorsed by the Chamber of Deputies. The following were the most important laws passed.

##### **1. The Rescinding of Martial Law (1991)**

This law came into force with the lifting of martial law. The law transferred all cases before the martial law court to the civil courts, and granted immunity from any legal liability arising from ordinary legislation to all those who had been entrusted with implementing martial law directives.

## 2. State Security Court Law (1991)

The former law was amended to allow the right of appeal against sentences passed by the state security court and obliging the court to refer to the Court of Appeal all sentences involving either the death penalty or jail sentences of over ten years. The amendment was intended to contribute a civic quality to the Court that was formerly connected with the Military Court. It granted the prime minister the authority to establish one or more state security courts in special circumstances required by the public interest. Each such special court was to be composed of three civilian and military judges, appointed by the prime minister on the recommendation of the Minister of Justice. The court was to try both military and civilians and its jurisdiction includes offences against the external and internal security of the state as well as economic and drug related offences. However, under the terms of provision [3] Article [93] of the Constitution, the King rejected the law and referred it back to the Chamber of Deputies. Under the Constitution, he was able to reject a law within six months, provided that he produce a statement showing the reasons for withholding his ratification. The King considered that the amendment of this law would constitute an obstacle to the operation of the Security Services by limiting their activities, as it proposed to lengthen the period of time between the arrest and trial of suspects. The law was later endorsed for a second time during Bin Shakir's government by two thirds of the members of the National Assembly on January 30, 1992 and became law. This was the first time legislation had been rejected by the King only to be overruled by parliament.

## 3. The High Court of Justice Law (1991)

This law was amended to reinforce the independence of the judiciary and made it possible to appeal against administrative decisions already in effect.<sup>(54)</sup>

Although the al-Masri government, appointed during the summer, was short-lived, and which only had an extra-ordinary session of less than four months, the three laws discussed above played a significant role in the process of political liberalisation.

### **6.3. Zaid Bin Shakir's Government: November 21, 1991 to May 29,**

**1993**

On November 21, 1991, King Hussein appointed Sharif Zaid Bin Shakir to form a new government.<sup>(55)</sup> In his letter of appointment, the King focused on the road to democracy and the creation of political pluralism. A substantial part of the speech dealt with these issues, giving a fresh impetus to the process of democratisation.

The government should pursue the process of democracy and achieve political pluralism as provided for by the National Charter this means that the government should go ahead with legal procedures to achieve that, especially the enactment of a law on licensing political parties which should be truly Jordanian in form and in practice and loyalty, as well as the law on press and publication in line with the principles of the Constitution and the National Charter and a manner that would safeguard the higher national interests. There must also be a reaffirmation of the process of democracy as a way of life that should be further promoted with members of the public oriented on their responsibilities through the information circles and the media as well as the educational institutions. This is needed so that the roots of democracy can be embedded in a sound manner under the ceiling of Parliament or outside. One can never serve justice to democracy unless the citizens have been freed of all the elements of fear under the prevalence of the law and no one can claim to be committed to democracy if he works in the darkness or practices ideological terrorism through leaflets, letters and the phone, as well as other means. Any such action is to be considered undemocratic and against the principles of the National Charter. Such elements must be exposed as working against the will of the people and their democratic process and they should be held accountable for these actions under the law.<sup>(56)</sup>

Regarding the national responsibility of the media, the King indicated that the media's information should be based on true facts and the media should work for the national interest of the country. This was not an attempt to limit media rights, but rather an injunction to the media to act responsibly in the cause of democracy. The King stated that:

Under democracy the national responsibilities grow and increase for official information circles. Therefore, informational material should be based on reason and knowledge seeking to serve the national interest like all other information circles where people can differentiate between anarchy resulting from irresponsible freedom and between freedom characterised with responsibility.<sup>(57)</sup>

The peace process was one of the important points in the King's letter of appointment to the new prime minister. He indicated that the main task for the new government was to continue with the peace talks. He stated:

One of the major tasks of this government at this stage, is to continue the participation in the peace process (started by the previous governments) by mobilising all efforts and resources to make this peace process successful. Success in this process means reaching a comprehensive, just and lasting peace based on the land for peace formula in accordance with United Nation Resolutions 242 and 338 which apply to all Arab occupied land, including Jerusalem. This requires solving the Palestinian problem with all its dimensions based on the UN Resolutions. The resolution guarantee the Palestinian people their legitimate national rights in self determination in their own soil. On this occasion we reaffirm our support to the joint Jordanian-Palestinian delegation in the peace process, expressing our pride in its national noble duties and its distinguished achievement in the Madrid Conference.<sup>(58)</sup>

### **6.3.1 Composition of Zaid Bin Shakir's Cabinet**

Sharif Bin Shakir's cabinet consisted of 29 members, and was the largest in Jordan's history. Of the 29 ministers, 10 were drawn from the Chamber of Deputies, and the remaining members were establishment figures from outside parliament. This indicated a return to traditional conservative politics, as Sharif Bin Shakir gave himself extra patronage with which to gain support from a number of critical constituencies. In doing so he paid particular attention to the traditional forces in Jordanian society. He formed a traditionalist, albeit largely non-ideological government, in contrast to al-Masri's liberal government. Four ministers from the Constitutional Bloc which had so bitterly opposed al-Masri were appointed, including Dhuqan al-Hindawi, head of the bloc, who was appointed as one of the two deputy premiers. He also appointed four ministers

from the National Bloc. Two of the other parliamentary deputies in the new cabinet were Yusif al-Mbaidin and Jamal al-Sarairah, both from the independent Islamist bloc.<sup>(59)</sup>

The main group excluded from the new cabinet were the Muslim Brotherhood. They had stated from the outset that they wished to remain a backbench opposition as they were against the current peace process. They did, however, state that they would judge the new government in terms of its performance over public freedom, rather than the peace process.<sup>(60)</sup>

The cabinet was overwhelmingly East Bank in its structure, with only two Palestinian ministers, thus underlining the fact that the government of Jordan represented East Bank Jordanians. Moreover, the new cabinet seems to have been chosen with particular care, with a wide geographical range covering most parts of the East Bank and bringing in minority groups such as the Christians and Circassians.

### **6.3.2 Programme of Zaid Bin Shakir's Government**

On December 1st 1992, King Hussein opened the parliamentary session in a speech from the throne as the policy statement of Bin Shakir's government. This was different from previous post-1989 governments, in so far as this time it was the King who framed the government policy and not the government. This procedure is not an anomaly since it is derived from article [54] Paragraph [3] of the Constitution, which states that if the appointment of a new government takes place when the Chamber of Deputies is not in session at the time of appointment, the Speech from the Throne shall be considered to be a statement of the government's policy. As a result, when the Chamber of Deputies reconvened, any vote against the government risked being understood as a vote against the policies favoured by King Hussein. To have rejected the government of Bin Shakir would therefore have sparked off a major political crisis.



### **6.3.3. Vote of Confidence in the Cabinet Programme**

When parliament reconvened, the discussion prior to the vote of confidence on the government's policy statement focused mainly on enhancing the democratic movement in Jordan, especially in terms of establishing close co-operation between the legislative and executive authorities with the aim of serving the public interest.

A significant response to the vote of confidence was made by the Democratic Assembly bloc, who focused mainly on democratic issues. These MPs concentrated on civil rights; the right to establish trade unions, instructors unions, student unions, and a national union for Jordanian youth; national affiliation; and building and defending the homeland.<sup>(61)</sup> The independent bloc made the following points:

1. Rational and calm dialogue between the government and people should be the effective approach to the democratic way of life instead of threat (of fear) and terror.
2. Practising the democratic way of life needs officials who embrace democracy.
3. Democracy should be practised with its advantages and disadvantages.
4. Social justice should prevail and the relations between ruler and the ruled should be based on *shura* (consultation).<sup>(62)</sup>

The Muslim Brotherhood bloc, however, did not focus on enhancing democracy. Among the issues raised by the Muslim Brotherhood bloc were: the implementation of Islamic *Sharia*, supporting the cause of Palestine, public liberty for every citizen, national unity and rejecting normalisation with Israel.

On December 16, 1992, Sharif Zaid obtained a clear vote of confidence from the Chamber of deputies with 46 votes to 27 endorsing the new cabinet. Three deputies abstained from the vote and four were absent from the Chamber.<sup>(63)</sup> By including ministers from the constitutional, national and independent Islamic blocs, the prime minister ensured that he would receive at least half the votes in his favour.

The prime minister was ambitious in his attempt to minimise opposition to the confidence vote. He made two conciliatory gestures to the Muslim Brotherhood. Firstly, he reduced the punishment for members of the Prophet Muhammad's Army, who had been given lengthy jail sentences. Secondly, he was credited with arranging for a leading member of the Muslim Brotherhood, Abd al-Latif Arabiyyat, to remain in the post of assembly speaker. Despite this apparent goodwill, however, 18 of the Muslim Brotherhood deputies voted against Sharif Bin Shakir's government. Three members were absent, while Arabiyyat himself abstained.<sup>(64)</sup>

#### **6.3.4. Major Legislation Initiated**

During the third parliamentary session, the government of Sharif Zaid Bin Shakir presented to the Chamber of Deputies 33 draft laws, and in the fourth parliamentary 17 draft laws, which were subsequently endorsed in the respective parliamentary sessions. The most important of these laws were the following four, with the exception of the 1992 and 1993 budget laws which are discussed in section 3.6 and 3.7 respectively.

##### **1. The Anti-Communist Law (1990)**

This law, which allowed political organisations with communist affiliations to practice their rights, constituted an important step towards enhancing public freedom and democracy and show the government's commitment to answering deputies' demands. This law had been drafted during Mudar Badran's government and was endorsed by the parliament on January, 21, 1992.

##### **2. The Defence Law (1990)**

This law was issued on March 7, 1992, to replace the earlier Defence Law of 1935. Before the Defence Law can be activated it requires a royal decree based on a decision of the Council of Ministers according to Article [124] of the Constitution. According to Article [2], the law can be used "if necessitated for the defence of the nation in the

event of an emergency threatening national security or public safety". According to the provisions of this law, Article [8] allows any persons arrested or put into custody the right of appeal to the High Court of Justice and to ask for compensation, which had not been previously possible. The right to appeal was a significant move towards public liberty.

### 3. The Political Parties Law (1992)

This law was endorsed by the Chamber of Deputies on July 5, 1992, and for the first time since 1957 allowed the registration of political parties, and a system of political pluralism.

### 4. The Press and Publication Law (1993)

This law was endorsed by parliament on March 29, 1993, and was intended to ensure the freedom of the press to exercise its tasks within the limits of responsible freedom.<sup>(65)</sup>

#### **6.3.5. Interpellations and Questions**

During the third and fourth parliamentary sessions, the government of Bin Shakir received 7 interpellations and 246 questions from the Chamber of Deputies concerning the tasks and functioning of the government. The following seven interpellations were raised.

- Interpellation No. (1) was submitted by deputy Abd al-Karim al-Dughmi to the Finance Minister, and concerned the petrol refinery company's concession. After parliamentary discussion, a response came on February 29, 1992.
- Interpellation No. (2) was submitted by deputy Mansur Murad to the Health Minister, and concerned the recognition of the medicinal specialisation certificates. This was discussed by the Chamber of Deputies, followed by an explanation by the Health Minister on March 29, 1992.

- Interpellation No. (3) was submitted by deputy Ahmad al-Abbadi on March 21, 1992 to the Finance Minister, and concerned the government's sale of Jordanian investment company shares. The Finance Minister gave an explanation the following day.
- Interpellation No. (4) was submitted by deputy Hammam Sa'id on March 29, 1992 to the Social Development Minister, and concerned the rejection of the establishment of charitable associations by the Social Development Ministry. The Minister concerned explained that four of these associations were not legal.
- Interpellation No. (5) was submitted by deputy Mansur Murad on June 6, 1992 to the Foreign Minister, and concerned the statement of Jordan's ambassador to the United Nations about the peace treaty and the situation of Jerusalem. This was promised to be reviewed by the cabinet.
- Interpellation No. (6) was submitted by deputy Bassam Haddadin to the Labour Minister, and concerned the draft of the new labour law. The Minister gave his response the same day.
- Interpellation No. (7) was submitted by deputy Hammam Sa'id to the Health Minister, and concerned the deposition of specialised medical doctors from the public health sector. This was discussed by the Chamber of Deputies on March 29, 1992 and followed by an explanation by the Health Minister.<sup>(66)</sup>

During the third session 150 questions, and during the fourth session 96 questions, were submitted to the government, the most important of which concerned the total of the Jordanian foreign debt and the government's policy toward this; the government's policy towards national service, and the manner in which the Ministry of Foreign Affairs had chosen new diplomats for the year 1991. In general, these questions were considered seriously by the government who took corrective action where necessary.

### **6.3. 6. The Budget of 1992**

On December 8, 1991 the Chamber of Deputies referred the budget law proposal for the year 1992 to the house's finance committee for review. The committee gave approval to the proposed law three weeks later, stating that the budget proposal was both realistic and responsible. The 1992 budget proposal was characterised by the following key aspects promising an improvement in the Kingdom's economy.

1. A real growth of Gross National Product of 3 per cent as opposed to 1991's 1 per cent.
2. Revenue would cover approximately 94 per cent of the current spending.
3. To stabilise the level of prices and decrease the cost of living.
4. To deal with the unemployment problem, to provide civil servants with a pay increase, and create as many as 8,300 new jobs.
5. To divert JD8mn to help offset poverty.<sup>(67)</sup>

The 1992 budget law was framed against the background of a second agreement between the Jordanian government and the IMF which had been concluded in October 1991. This agreement contained a seven year economic reform programme which would start as of 1992, with that year's budget being the base year.<sup>(68)</sup> The following points are the aims of the second seven year reform programme:

1. To cut the budget deficit (before grants) from 18 per cent of GDP in 1991 to 5 per cent in 1998;
2. To decrease public expenditure from 44.4 per cent of GDP in 1991 to 5 per cent in 1998;
3. To increase domestic revenue of the Treasury from 26.5 per cent of GDP in 1991 to 30 per cent in 1998;
4. To increase real economic growth from 1 per cent in 1991 to over 4 per cent in 1998;
5. To cut consumption from 100.9 per cent of GDP in 1991 to 79.5 per cent in 1998;
6. To cut inflation from 10 per cent in 1991 to 4.5 per cent in 1998;
7. To reduce the need for foreign and domestic borrowing from 10.6 per cent of GDP in 1991 to 3.5 per cent in 1998;
8. To reduce the current account deficit to 2 per cent of GDP in 1997 and zero a year later, from 24 per cent of GDP in 1991;

9. To accumulate foreign exchange reserves to cover three months' worth of imports, instead of the current situation in which reserves cover just over two months'.<sup>(69)</sup>

The proposed budget law did not escape criticism by the Muslim Brotherhood deputies and others. Most of the Muslim Brotherhood deputies disagreed with the state budget and requested that the government pay more attention to equity in the distribution of public services, solving the unemployment problem, supporting the national army, and expanding national services. Fu'ad al-Khalafat, a Muslim Brotherhood member, opposed the budget proposal law on the grounds that there was corruption within some government institutions. He said he would withhold his support until this was put right. The institutions he referred to were the media and television corporations, the Ministry of Foreign Affairs, the Civil Aviation Authority, and the Finance Ministry. In contrast, the Islamic independent bloc welcomed the proposed budget law, considering this to constitute a great improvement over the previous year's budget.<sup>(70)</sup>

Most deputies were concerned primarily with popular issues such as the building of new roads, support for smaller farmers, support for youth clubs, for a solution to the unemployment problem, improving the level of education, increasing the salaries of civil and military servants, and limiting the level of poverty rather than issues such as debt repayment. The 1992 budget law and economic reform programme was passed by the National Assembly on December 30, 1991 by 45 votes to 20, with 9 deputies absent from the house and 6 abstentions.<sup>(71)</sup>

#### **6.3.7. The Budget of 1993**

On December 13, 1992 the Chamber of Deputies referred the budget law proposal to the house's finance committee. In his budget statement to the Chamber of Deputies, the Finance Minister was able to offer the prospect of real growth of 7 per cent in 1993, while keeping the budget deficit down to JD48mn.<sup>(72)</sup> The 1993 budget was

characterised by many distinguishing features, with the main ones being summarised below.

1. Improving the total national production to between 7 and 8 per cent during the 1993.
2. Encouraging industrial investment, increasing exports and improving public sector services.
3. Limiting the deficit on the current account to 10 per cent of the GNP.
4. Attracting more Jordanian worker remittances from abroad.
5. Controlling the inflation level to between 4 and 5 per cent.
6. Controlling government expenditure and limiting the budget deficit by 8 per cent.
7. Keeping the Jordanian dinar stable.
8. Neither increasing nor changing the level of state debt.
9. Looking for a solution to the unemployment problem.
10. To use savings to increase the budget by 20 per cent to improve the level of education, social development, youth, and health ministries.<sup>(73)</sup>

The finance committee's chairman, the Muslim Brother deputy, Dr. Abdullah al-Akaylah, was optimistic about the prospect of such initiatives in the budget proposal, as the government seemed to have managed the adoption of the budget fairly effectively. The house's finance committee requested that the government respond to the following demands of the budget law as a condition of the vote of confidence: to increase the salaries of civil and military servants to not less than JD 20 dinar a month; to increase the retirement pension; and to raise the level of low income citizens.<sup>(74)</sup> In response the government promised to review these issues.

The 1993 budget law received some criticism from Leftists, the Muslim Brotherhood, and other deputies. Salim al-Zu'bi, a Leftist deputy, personally opposed the budget proposal, on the grounds that its negative aspects outweighed the positive. He summarised the negative aspects as follows:

1. The budget law does not take into account the military armament programme, thereby giving an unclear insight into the financial status of the country.
2. The budget law does not include the profits made on the sales of petrol bought from Iraq at low prices, which would save JD115mn for the country.
3. Despite recognising the high figures for unemployment and poverty (unemployment is at 18 per cent of the population), the government does not come up with a suitable solution.
4. The increase of about 24 per cent of the 1992 imports compared to the 1991, which imports was 3 per cent less than the year 1990.<sup>(75)</sup>

Bassam Haddadin, a Leftist deputy, also individually rejected the budget law and asked for a new proposed budget to be prepared by a joint committee from the Finance Ministry and the Chamber of Deputies. He criticised the government's failure to find a suitable solution to the unemployment problem, and requested that the government increase the salaries of civil and military servants, reduce petrol prices, protect national industries, and maintain the prices of basic goods such as public services, electricity, water, telephones, and transportation.<sup>(76)</sup>

The majority of the members of the Muslim Brotherhood bloc criticised the budget law. On behalf of the Muslim Brotherhood deputies as a whole, Hammam Sa'id stated:

1. This budget does not take into account legal and illegal gains, nor does it try to reinvest interest made.
2. The Muslim Brotherhood requests that the government amend the Social Security Law to increase the income of needy citizens.
3. The Muslim Brotherhood requests that the government extend the benefits of health insurance to all citizens.
4. The budget does not find a suitable solution for unemployment.
5. Fairness should be a factor in the appointment of new jobs in all government institutions.<sup>(77)</sup>



Before the vote of confidence, most deputies in the budget debate focused their speeches on their constituency needs in order to gain support in the forthcoming elections. This demonstrated the parochial nature of Jordanian politics. For example, Abd al-Majid al-Shraidah, a deputy from Koura District demanded the following:

1. To give priority to the poor and needy citizens in terms of employment in the area.
2. The appointment of school teachers should be from the Koura.
3. Woodland in the Koura District should be distributed to unemployed citizens.
4. To establish a community college and industrial school in the Koura District.
5. To support youth associations in the Koura District.
6. To create a nursery school in the Koura District.
7. To support charity organisations in the Koura District.<sup>(78)</sup>

To answer the demands of deputies and to gain a vote of confidence, the finance minister responded to the deputies' concerns and demands by stating that the government would create 6,000 new jobs in 1993, and these positions would be announced before the end of January, 1993. He also stated that improving the salaries of civil and military servants would be considered. In the light of these concessions, the budget law was passed by the Chamber of Deputies on January 6, 1993 by 58 votes to 11. Eleven deputies were absent from the house.<sup>(79)</sup>

## **Conclusion**

This chapter has followed the process of democratisation through three separate governments, from December 1989 to May 1993. Throughout this period the Chamber of Deputies was able to influence all major legislations proposed by the successive governments. Discussions carried out by the Chamber of Deputies covered all matters concerning the country and its citizens in the fields of public liberty, the economy, administration, teaching, health, information and youth. The discussions occurred within the context of a series of laws and legislations which reinforced the democratic opening in the country. These laws included abolishing martial law, amending the State Security Court law, giving citizens the right to appeal to the Court of Appeal, and issuing the political parties law, the press and publication law, and the state budget laws for the years 1990-1993.

The comparison between the policies and achievements of the three governments shows a gradual progression in putting democratisation into practical effect. The government of Mudar Badran emphasised to the principle of democratic choice, partly because without it, the government could not maintain its influence over the Chamber of Deputies. A start was made in preparing legislation for reform. Under al-Masri's government there was limited time for progress to be made on reform - especially since the government was having to concentrate on the peace process. However, al-Masri's government further promoted the process of democratisation through the amendment of the State Security Court Law. The government of Zaid Bin Shakir was able to consolidate the reform process, by passing the legislation which had been prepared under the previous government, such as the political parties law and the press and publication law. It is clear that parliamentary pressure during this period changed the course of government policy. This made the process of political liberalisation more likely to succeed by encouraging national dialogue.

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**Chapter Seven**  
**The Operation of the Parliamentary Democratic System;**  
**The Political Role of Civil Society Institutions and the Existence of**  
**Official Political Parties, 1989-1993**

**Introduction**

This chapter examines the political role of civil society institutions in the political liberalisation process from 1989 to 1993 and mainly how the 1992 Political Parties Law altered their roles. The institutions are analysed in two categories: firstly, the trade union and professional associations and secondly, the political parties.

**7.1. Civil Society Institutions and Political Liberalisation**

The social and political structures in Jordan are very sensitive. The civil society institutions of the trade unions and professional associations do not have sufficient resources and facilities, and therefore maintain a remote role in the decision-making process. Prior to political liberalisation, the trade union and professional associations which existed constituted the main outlet for political debate. However, they were constrained in their actions by the legislation under which they operated. Following political liberalisation, they were replaced by the official political parties as the main fora for political debate and action, but relaxation in legislation at the same time resulted in an increased role for them (for example through strike action).

The 1952 Constitution laid the basis for Jordanian citizens to establish and join political and professional organisations and societies. Consequently, many labour and professional organisations for doctors, engineers, dentists, lawyers, journalists and writers were established and became well organised. Most of the trade union and professional associations were founded in the 1950s.<sup>(1)</sup> These organisations filled the

gap in articulation of political concern which had been created by the absence of legal political party activities and the suspension of parliament.

The principal objectives of these organisations were defined by the law as being to protect, maintain, and develop the profession or trade union and defend the rights and interests of their members. The organisations held professional conferences and seminars, and arranged scientific meetings and visits with similar Arab and foreign professional organisations. In essence, the government allowed the organisations to express the interests of society as a whole and initiate political activities in the Jordanian political system. In addition, they were able to play a role in structuring political conflict in society. They could involve a significant part of the population in the national political process, integrate religious and ethnic minorities into society through their activities, and state the interests of various sectors of society.<sup>(2)</sup>

The role of trade union and professional associations was increased following the 1967 war with Israel. Following the defeat, a political body called the 'Professional Grouping', comprising labour and professional organisation representatives, was formed to fill the political gap which existed because of the unconvened parliament. The Professional Grouping continued to meet until 1971, at which point it was disbanded on the grounds that its work was political, not professional. This happened after banned political parties such as the Communist Party, the Ba'thists, and the Arab Nationalists and even the officially accepted Muslim Brotherhood organisation were found to be involved in its functioning. This was followed by a government amendment of the Trade Union and Professional Associations Laws which gave the government the right to dissolve any organisation or union; the government could also deny any group the right to appeal to the courts.<sup>(3)</sup>

The National Charter emphasised the constitutional rights and civil liberties of Jordanian citizens to found or join societies and political parties. It also protected the rights of



civil society institutions by subjecting any decision of the government to dissolve an organisation or union to an appeal in court.<sup>(4)</sup>

With political liberalisation, trade union and professional associations continued to function, but they no longer acted as replacements for parliament and political parties.<sup>(5)</sup> They now campaigned hard to demand rights and privileges for their members, and in many cases used strike action to attain their goals. For example, the medical and engineering associations carried out a strike in 1991, calling for the reformation of the wage system and pay rises. This resulted in a positive response from the government. Another example was the threat of strike action by the general work force in the electricity company in 1992, to support demands for higher pay and more employees' rights. This forced the government to intervene and negotiate a compromise settlement one day before the strike was due to take place.<sup>(6)</sup> In December 1989, the government permitted the Jordanian Writers Union to resume its activities following its dissolution in 1987 after accusations of political activity.<sup>(7)</sup> It is interesting to note that before democracy, any person or organisation calling for strike action or talking about such a move in public, could face accusations of political crime if discovered by the government.<sup>(8)</sup>

It is evident that activities by trade union and professional associations before and during the democratic transition converged to enhance democratic thinking and behaviour in both their members and the general public. This further extended to other popular organisations e.g. clubs and urban and rural municipalities. Thus, it can be said that professional organisations, trade unions and the various popular organisations played a significant role, albeit with different degrees of effectiveness, in enhancing the democratic sense and direction, and further developing democratic behaviour in their organisations and in the general public.

## **7.2. Political Parties Status Following the 1992 Political Parties Law**

The endorsement of the Political Parties Law of 1992 paved the way for multi-party politics in Jordan, for the first time since the ban on political parties imposed in April 1957, although the government had unofficially agreed to allow political groupings to establish their organisational structure, following the endorsement of the National Charter in 1991. On October 1, 1992, applications to register parties began to be filed at the Ministry of the Interior, where a political parties department had been opened giving the government a substantial say in determining the shape and content of parties to emerge.<sup>(9)</sup> The Ministry of the Interior announced the acceptance or rejection of a party's application within one week after the passage of sixty days from the date of receiving the establishment application.[Article 10-1] Immediately after the endorsement of the parties law, about 60 political parties applied to the Ministry of the Interior for licences in order to formalise their status.<sup>(10)</sup> By July 1993 the total number of registered political parties had reached twenty. The first party to be licensed was the Jordanian National Alliance Party, a coalition of bedouin tribes. The Pledge Party, the Islamic Action Front, the Future Party, the Progress and Justice Party, and two other pan-Arab centrist parties (the Unionist Democratic Party and the Popular Unity Party) were all legalised soon afterwards.

The Arab Ba'th Socialist Party (ABSP) and the Communist Party (JCP) however, were initially denied legal status by the Ministry of the Interior. These political parties were accused by the Ministry of the Interior of calling for socialism and of having connections with other Marxist parties abroad. Several of their aims and ideas were considered unconstitutional or in contravention of the Political Parties Law. This move by the Ministry was criticised by Islamists, leftists, conservatives and even some high ranking Jordanian officials, such as Ibrahim 'Izz al-Din, minister of prime ministerial affairs. Furthermore, a series of statements by political figures in the country, including those from Islamic, traditional and conservative backgrounds, supported the cause of

these parties.<sup>(11)</sup> The parties were in due course given registration by the Higher Court of Justice in January 1993.<sup>(12)</sup> The licensing of the JCP and ABSP encouraged the Ministry of the Interior's position not to oppose the licensing of the Jordanian People's Democratic Party (JPDP) and the Jordanian Democratic Popular Unity Party(JDPUP), which followed.<sup>(13)</sup>

### **7.2.1. Official Political Parties**

Although by 1993 political parties in Jordan were gaining in influence, they still lack real power. Most of these parties have similar constitutions, and almost all of them express official support for the Hashemite family and commitment to the Jordanian Constitution. The next section reviews the objectives and principles of the 20 licensed parties, in order of their registration.

#### **7.2.1.1. The Jordanian National Alliance Party (JNAP)**

The Jordanian National Alliance Party was licensed on December 1, 1992 and became Jordan's first political party after the Political Parties Law was passed. The Secretary General of this party was Mijhim al-Khraishah, a bedouin from the Bani Sakhir tribe. The JNAP is a coalition of central and southern bedouin tribes, with a pro-establishment alignment. This party describes itself as a "Jordanian political, popular, national organisation with national humanitarian objectives, goals and principles. It seeks to achieve these objectives through democratic means according to the Jordanian Constitution, the National Charter and Jordanian laws and regulations". Its objectives and principles were summarised to the researcher by its Secretary General as the following:

1. Defending the integrity of Jordanian land, national sovereignty, the Jordanian identity, adhering to the Constitution, protecting the constitutional institutions including the Hashemite regime, and preserving Jordan's security and stability.

2. Emphasising and consolidating unity, harmony and brotherhood among all classes of Jordanian citizens, respecting human rights, and a commitment to democratic methods and political pluralism.
3. Regulating the manner of interaction between all Jordanian people for the sake of protecting the citizen's rights of freedom, equality, and happiness.
4. Supporting the Jordanian Armed Forces and the Security Forces.
5. Supporting the Palestinian issue as a national and an Arab issue.
6. Dealing with Arab nations issues according to Jordan's historical role and national commitment.
7. Respecting individual rights to ownership, work, freedom of opinion and expression, and giving care to the youth and protecting the rights of women.<sup>(14)</sup>

#### **7.2.1.2. The Jordanian Pledge Party**

The Jordanian Pledge Party was licensed on December 7, 1992 with Abd al-Hadi al-Majali, an ex-government official, as its Secretary General. This party is considered a 'Transjordanian party'. It has a relatively large membership and is regarded as pro-establishment, with tribal affiliations. Significantly, the party's constitution called for a definition of the Jordanian national entity to clarify the relationship between Jordan and Palestine. Whilst supporting the Palestinian cause, the party contends that this should not allow the Palestinian problem to destabilise the East Bank. The party's principles and objectives were outlined by 'Isa al-Majali, the Administrative Director as the following:

1. Commitment to the Jordanian Constitution.
2. Adherence to Jordan's laws and regulations.
3. Belief in the Jordanian national identity and entity.
4. Recognition of the basic rights and freedom for the Jordanian people.
5. Consolidating democracy through popular participation in the decision-making process.
6. Establishing a free national economy.<sup>(15)</sup>

#### **7.2.1.3. Popular Unity Party**

The Popular Unity Party was legalised on December 7, 1992. Its Secretary General was Talal al-Ramhi. This party believes in 'the principles of the great Arab Revolt' and

is considered a conservative party with Palestinian sympathies. Its aims and objectives are Arab unity, establishing a democratic Arab state, supporting the Palestinian cause and increasing national awareness. Article [5] of the party's constitution states: "The party is committed to the principle of Arab unity, the great Arab Revolt and the Arab liberation movement, which represent the aspiration of the majority of our people struggling for unity".<sup>(16)</sup>

#### **7.2.1.4. Islamic Action Front Party (IAF)**

The IAF party which is the political arm of the Muslim Brotherhood was licensed on December 8, 1992. Its Secretary General was Dr. Ishaq al-Farhan. This party has an extensive programme and is the party with the broadest base of support within Jordanian society. The IAF aims at achieving general objectives, the most important of which were summarised to the researcher by its Secretary General as the following:

1. Resuming Islamic life and applying Islamic *sharia* in all fields.
2. Preparing the nation for armed conflict (*jihad*) against Zionist and Imperialist enemies.
3. Achieving national unity and establishing a system based on democracy and *shura*.
4. Reinforcing unity among citizens, and combating ethnic, regional, tribal and sectarian conflicts that threaten this unity.
5. Establishing a Jordanian economy based on Islamic principles, which ensures social equality, protects individual property, provides equal opportunities, and combats corruption and unemployment.
6. Fighting political, financial, and administrative corruption.
7. Supporting women's rights and youths organisations.
8. Opposing the peace treaty with Israel and calling for the liberation of Palestine.<sup>(17)</sup>

#### **7.2.1.5. Future party**

This party was licensed on December 8, 1992. The Secretary General was Sulaiman Arar, a conservative and ex-government official. The Future Party is a centrist party of politicians who often held government positions in the past and can be described as a

conservative. Its principles and objectives were summarised to the researcher by its Secretary General as the following:

1. Protecting the Jordanian Constitution, showing a commitment to its principles and emphasising the sovereignty of the law.
2. Building the homeland on the basis of democracy, social justice and the development of state institutions.
3. Adhering to the principle of independent power of state authority.
4. Supporting the Palestinian struggle and believing in unity between Jordan and Palestine.<sup>(18)</sup>

#### **7.2.1.6. Jordanian Democratic Progressive Party (JDPP)**

The JDPP was licensed on January 16, 1993. Its Secretary General was Ali Am'ir. It is neo-communist and pro-Palestinian. The JDPP aims and objectives as stated in its constitution are:

1. To contribute to the development of the state's institutions and laws.
2. To enhance the democratic process in the country.
3. To guarantee the rights of all Jordanian people and political participation.
4. To build a national economy based on the efforts of Jordanian manpower.
5. To support the struggle of the Palestinian people and enhance relations with the PLO.
6. To defend workers' and peasants' rights.
7. To defend the political, economic and social rights of women.<sup>(19)</sup>

#### **7.2.1.7. The Jordanian Communist Party (JCP)**

The JCP was licensed on January 17, 1993 and its Secretary General was Ya'qub Zayadin. This party draws its support mainly from the lower middle class and professional groups. It had originally been established in the 1950s, only to be banned under the anti-Communist law of 1953, although it continued to operate underground. The Communist party calls for Arab nationalism and democracy, with an adherence to Marxist ideology. It aims and objectives were summarised to the researcher by its Secretary General as:

1. Protecting and spreading democracy and political pluralism.
2. Enhancing Jordanian national independence.
3. Defending the socio-economic situation of the popular classes, especially workers, peasants and low income earners.
4. Enlarging the base of social progress and social justice.
5. Improving the economic situation of labour.
6. Fighting corruption.<sup>(20)</sup>

#### **7.2.1.8. Jordanian Arab Ba'th Socialist Party (JASBP)**

The JABSP was licensed on January 18, 1993 and its Secretary General was Taysir al-Humsi. It is an Arab nationalist party with a socialist ideology. This party, which was formerly close to the Iraqi Ba'th Party, had originally been established in 1954 but along with all political parties, was banned in 1957. However, it continued to operate underground and resurfaced in 1992. Its aims and objectives were summarised to the researcher by Ahmad al-Najdawi, the JABSP spokesman, as the following:

1. Arab nationalism is a firm reality and the relationship between the individual and Arab nation is sacred, and requires sacrifice and responsibility.
2. The authority of the state derives from the people, and the people are the source of power.
3. The party aims to enhance equality of rights and duty among citizens, regardless of religion, colour or race.
4. The party believes in popular struggle for reviving Arab nationalism and building an economic, socialist, humanitarian order which realises social justice and a fair distribution of wealth.<sup>(21)</sup>

#### **7.2.1.9. The Jordanian People's Democratic Party (JPDP)**

The Jordanian People's Democratic Party was licensed on January 24, 1993. The Secretary General was Taysir al-Zubri. This party has a Palestinian link, specifically with Nayif Hawatmah's Democratic Front for the Liberation of Palestine (DFLP). The party was organised following the 1967 war with Israel and operated underground. It is guided by Marxist-Leninist ideology, and is neo-communist. The more important objectives stated in its constitution are as follows:

1. Enhancing democracy and political pluralism.
2. Strengthening national unity and defending the independence and sovereignty of the country.
3. Maintaining equality for women and protecting their rights.
4. Protecting working class rights and interests.
5. Supporting the struggle of the Palestinian people for the right to return to their homeland.<sup>(22)</sup>

#### **7.2.1.10. The Progress and Justice Party (PJP)**

The PJP was legally registered on January 27, 1993. The Secretary General was Ali Farid al-Sa'ad. This party has a moderate political ideology and is a secular centrist party calling for a free market economy and western style of democracy. Its objectives stated in its constitution are as follows:

1. To provide the best guarantees for exercising freedom and the deepening of democracy through political pluralism.
2. To support the Palestinian issue.
3. To believe in a free economy based on respect for individual property, and freedom of investment.
4. To protect the rights and freedom of the individual.<sup>(23)</sup>

#### **7.2.1.11. Jordanian Democratic Socialist Party (JDSP)**

The JDSP which had split from the Communist party, was legalised on January 27, 1993. The Secretary General was 'Isa Mdanat, who had been an active member of the Communist party and was considered as its representative in the eleventh Chamber of Deputies of 1989. This party's priorities and objectives were summarised to the researcher by its Secretary General as the following:

1. Enhancing national unity and fighting all forms of bias.
2. Consolidating democracy and its institutions.
3. Separating government powers according to the Jordanian constitution.
4. Consolidating the independence of the parliamentary authority and the judiciary.
5. Protecting the political, economic and social rights of women.
6. Protecting the rights of workers and improving their situation.
7. Forming national economic policies based on extending the productive base in agricultural and industrial fields.<sup>(24)</sup>



#### **7.2.1.12. The Reawakening Party**

The Reawakening Party was legalised on December 7, 1993. Its Secretary General was Abd al-Ra'uf al-Rawabdah, a conservative ex-government official. The party's objectives and aims were summarised to the researcher by its Secretary General as the following:

1. To enhance democracy on the basis of political pluralism, freedom of opinion and tolerance.
2. To respect citizens' rights, and freedoms, guaranteeing equality and fighting discrimination.
3. To emphasise freedom of opinion and expression, and to search for truth, knowledge and information.
4. To support the national struggle of the Palestinian people.
5. To consolidate the national identity of the Jordanian people through a commitment to the Arab nation.<sup>(25)</sup>

#### **7.2.1.13. Jordanian Democratic Popular Unity Party (JDPUP)**

The JDPUP was granted legal status on February 9, 1993. Its Secretary General was Azmi al-Khawaja. This party was an offshoot of the Damascus-based Popular Front for the Liberation of Palestine (PFLP) led by Yasir Abd Rabbuh. Again, this party had been established after the 1967 war and operated underground. Socialism and the liberation of Palestine were the strategic aims of the party. Its goals and objectives stated in its constitution are as follows:

1. To enhance the democratic transition process, sovereignty and the independence of the country.
2. To enhance national unity and end discrimination in Jordanian society.
3. To support the Jordanian Armed Forces.
4. To emphasise the Jordanian-Palestinian relationship.
5. To achieve Arab unity through democratic means.
6. To protect the Jordanian national economy.
7. To protect the activity of civil society institutions.<sup>(26)</sup>

#### **7.2.1.14. Freedom Party**

The Freedom party was licensed on February 10, 1993. Its Secretary General was Fawaz al-Zu'bi. This party attempts to combine Marxist ideology with Islamic tradition and nationalist. Its aims and objectives stated in its constitution are as follows:

1. Commitment to the provisions of the Jordanian Constitution.
2. Adherence to the principles of democracy and political pluralism.
3. Protecting national independence and maintaining national unity.
4. Supporting strong Jordanian-Palestinian relations and the struggle of the Palestinian people to establish an independent state.
5. Building a national economy and liberating it from dependency.
6. Respecting human rights, and fighting racism, sectarianism and Fascism.<sup>(27)</sup>

#### **7.2.1.15. The Unionist Arab Democratic Party (UADP)**

The UADP was licensed on February 17, 1993. Its Secretary General was Anis al-Mua'shir. It is a centrist party with a pan-Arab tendency and its aim and objectives stated in its constitution are as follows:

1. Commitment to the principles of the Jordanian Constitution.
2. Recognition that Jordanians are equal before the law and have equal rights and responsibilities.
3. Separation between the three powers: legislative, executive, and judiciary.
4. Emphasis on respect for freedom of opinion, and the press and for human rights.
5. Enhancement of the democratic system, respecting both majority opinion and minority rights, and stressing political pluralism and citizens public liberty.
6. Support for the struggle of the Palestinian people.<sup>(28)</sup>

#### **7.2.1.16. The Arab Islamic Democratic Movement Party (Du'aa)**

The Arab Islamic Democratic Movement party was licensed on April 12, 1993. The party's Secretary General was Yusif Abu Bakir. It is a liberal Islamic party calling for the implementation of Islamic *sharia* and democracy. It has been critical of the Islamic

Action Front, accusing the latter of a regressive interpretation of Islamic Law. Despite its Islamic identity, this party has included Christian founders and members. The party emphasised the importance of this: "Arab Christianity is a fundamental part of the Islamic Arab civilisation and is its partner in structure and development". It is an independent Islamic party and its priorities as stated in its constitution are achieving the following objectives:

1. To make the Koran and the *sunna* constitute the basic principles of the party's general orientation.
2. To support the Palestinian struggle and achieve full liberation of Palestine.
3. To participate in the Jordanian parliament and government.
4. To guarantee freedom, equality and justice for the Jordanian people.<sup>(29)</sup>

#### **7.2.1.17. The Arab Ba'th Progressive Party (ABPP)**

This party was legalised on April 13, 1993 and was formerly close to the Syrian Ba'th party. Its Secretary General was Mahmud al-Maitah. Similar to the Arab Ba'th Socialist Party, the Arab Ba'th Progressive Party spent 25 years underground. It is a nationalist party and struggles for the achievement of unity within the Arab nation, politically and economically, based on socialist ideology. Its beliefs and objectives were summarised to the researcher by Fu'ad Dabbur, the deputy secretary general, as the following:

1. Believing that the Arab homeland is for all Arabs, and only the Arabs have the right to manage its affairs and wealth.
2. Believing that the people are the source of power and leadership.
3. Being committed to the Jordanian constitutional parliamentary system.
4. Emphasising the importance of democracy which would guarantee citizens rights.
5. Supporting and consolidating the Jordanian Armed Forces.
6. Supporting the Palestinian struggle and rights of the Palestinian people to return to their homeland.
7. Believing in socialism and a social system of justice.
8. Structuring the Jordanian economy according to the socialist orientation leading to the unified Arab socialist society.<sup>(30)</sup>

#### **7.2.1.18. The Jordanian Arab Popular Party (JAPP)**

The JAPP was legalised on May 27, 1993. This was a new party with a nationalist ideology and leftist orientation. Its Secretary General was Abd al-Khaliq Shatat. The party's objective and principles as stated in its constitution are the following:

1. To enhance Jordan's democratic experiment and its political realisation.
2. To protect the Jordanian people's freedom from all forms of economic, political and cultural dependency.
3. To support and consolidate Arab unity in real terms.
4. To support the Palestinian cause and to enhance the Jordanian-Palestinian relationship.<sup>(31)</sup>

#### **7.2.1.19. The Homeland Party**

The Homeland party was licensed on June 14, 1993 and led by Akif al-Fayiz, a bedouin and ex-government official. The party has a conservative ideology, with strong tribal-affiliations. Most of its members were drawn from the East Bank of Jordan. Its objectives as stated in its constitution are the following:

1. National unity, as a necessity for security and national survival.
2. Support for the Palestinian people in the occupied lands, and the defence of their legitimate rights to their lands.
3. The establishment of a future generation with an Arab heritage, and moral vision.
4. The promotion of the spirit of thought and democratic dialogue in homes, public places and political fora.
5. The promotion of national pride and the strengthening of national loyalty within an Arab context.
6. The raising of children with an awareness of the importance of work.
7. The enhancement of social justice and equal opportunities.
8. The promotion of the role of women in society, ensuring equal participation between the sexes.<sup>(32)</sup>

#### **7.2.1.20. Jordanian Arab Democratic Party (JADP)**

This newly formed party was licensed on July 12, 1993. The JADP is liberal and pan-Arab with leftist orientation. Its Secretary General was Mu'nis al-Razzaz. The party objectives and principles as stated in its constitution are the following:

1. Protecting Jordanian national unity.
2. Supporting the Arab nation's right to unity and its right to eradicate dependency.
3. Adhering to democracy as a constant and basic principle.
4. Protecting the national economy and supporting its independence.<sup>(33)</sup>

From the aims and objectives of the twenty political parties, it is possible to place them into three categories: centrist (conservatives and traditionalists), leftists and pan-Arab nationalists, and Islamists. The conservative and traditionalist political parties tend to have a local and tribal basis and conservative views. They are mostly not well organised and by the 1993 elections most of them still lacked shape, partly due to divisions among their leaders. Most of these parties derive their main support from the East Bank, are generally pro-establishment and subscribe to broadly the same programme. The conservatives and traditionalists parties include the Jordanian National Alliance Party, the Jordanian Pledge Party, the Popular Unity Party, the Future Party, the Progress and Justice Party, the Reawakening Party, the Unionist Arab Democratic Party, and the Homeland Party.

The leftist and pan-Arab nationalist parties are strongly represented in Jordanian political circles. These parties operated underground during earlier periods; some of them were in existence from the 1950s and others were established following the 1967 war. The parties were generally more organised than the conservative and traditionalist parties in the 1993 election. This trend concentrated mainly on four issues: Arab unity, socialism, the Palestinian issue and labour rights. The leftist and nationalist trend consisted of ten parties: the Jordanian Arab Ba'th Socialist Party, the Arab Ba'th

Progressive Party, the Jordanian Arab Democratic Party, the Jordanian Arab Popular Party, the Jordanian Communist Party, the Jordanian Democratic Socialist Party, the Freedom Party, the Jordanian Democratic Popular Unity Party, the Jordanian People's Democratic Party, and the Jordan Progressive Democratic Party.

The Islamic parties have a strong foundation in Jordanian society, and are represented by fewer, but larger, parties than those in the other trends. There are only two Islamic parties, the IAF and the Arab Islamic Democratic Movement Party.

### **7.2.2. Influence of the Official parties**

Whilst twenty parties were registered at this stage (1992-1993), it was difficult to judge or estimate their influence. After only one year since their establishment, their behaviour in public indicates that most were limited in their effect and not totally in touch with the masses. However, table no. 7.1 shows the number of each party's founders. This may not be an accurate representation of the support for the parties in late 1992 to early 1993, but it is the only source of information available. From table 7.1, the strength of the Islamic Action Front is apparent, with 312 founders, 107 more than the second party, the Jordanian Pledge Party, a conservative and traditionalist party.

**Table 7.1 Political Parties Number of Founders and Political Stance**

No	Party Name	No. of Founders	Political Stance
1	Islamic Action Front Party	312	Islamist
2	Jordanian Pledge Party	205	Centrist
3	Reawakening Party	174	Centrist
4	The Unionist Arab Democratic Party	166	Centrist
5	Progress and Justice Party	164	Centrist
6	Future Party	158	Centrist
7	Homeland Party	152	Centrist
8	Jordanian Arab Democratic Party	124	Nationalist
9	Jordan People's Democratic Party	100	Leftist
10	Jordanian Democratic Popular Unity Party	94	Leftist
11	Jordanian National Alliance Party	93	Centrist
12	Jordanian Democratic Progressive Party	88	Leftist
13	Arab Ba'th Progressive Party	78	Pan-Arabs
14	Jordanian Arab Ba'th Socialist Party	75	Pan-Arabs
15	Arab Islamic Democratic Party	72	Islamist
16	Jordanian Communist Party	71	Leftist
17	Jordanian Democratic Socialist Party	61	Leftist
18	Freedom Party	59	Leftist
19	Jordanian Arab Popular Party	56	Pan-Arabs
20	Popular Unity Party	55	Centrist

**Source:** The Ministry of the Interior Publications, 1993.

Support for political parties tends to be primarily from educated groups. A survey conducted by the Centre for Strategic Studies at the University of Jordan, in April 1993, indicated that people joining political parties were only about 1.4 per cent of the total population.<sup>(34)</sup> This was attributed to the previous experience of political parties which ended in 1957 with the harassment of political activists in the country.

After the enactment of the 1992 Political Parties Law, thirty-two of the eighty deputies in parliament became officially affiliated to political groupings. The leftist parties had three representatives in the Chamber of Deputies. The Jordanian Democratic Socialist Party was represented by 'Isa Mdanat; the Jordanian Democratic Popular Unity Party by Dhib Marji; and the Jordanian People's Democratic Party by Bassam Haddadin. These parties' representatives were elected through the Christian seats in Karak, Irbid and Zarqa respectively. The Muslim Brotherhood, with 22, had the largest number of

representatives in parliament. The remaining seven deputies were from conservative and traditionalist parties. The Reawakening Party was represented by its Secretary General, Abd al-Ra'uf al-Rawabdah. The Jordanian National Alliance party was represented by three deputies, Faisal al-Jazi, Nayif Abu Tayih, and Jamal al-Khraishah. The Future party was also represented by three deputies, its Secretary General Sulaiman Arar, Salamah al-Ghuwari, and Abd al-Salam al-Fraihat. Table 7.2 shows the number of political parties participating in the eleventh parliament and the political affiliation of these parties following the 1992 Parties Law. This highlights the fact that of twenty registered parties, only seven were represented in parliament.

**Table 7.2 Political Parties Members in the Chamber of Deputies Following the Political Parties Law of 1992.**

Political Parties	No. of Representative	Percentage
The Islamic Action Front	22	27.50
Jordanian People's Democratic Party	1	1.25
Jordanian Democratic Popular Unity Party	1	1.25
Jordanian Democratic Socialist Party	1	1.25
Reawakening Party	1	1.25
Jordanian National Alliance Party	3	3.75
Future Party	3	3.75
Total	32	40.00

**Source:** The Map of Jordan's Political Parties Preceding the 1993 General election, Al-Urdun Al-Jadid Research Centre, [New Jordan], Amman, 1993, p. 17.

Of the eighty representatives in Parliament, the Islamic Action Front had 27.5 per cent, parties in traditionalist and conservative trend had 9 per cent of the seats, whilst the leftists parties secured 4 per cent. The remaining forty-eight deputies were nominally independent but of these 10 were considered supporters of the pan-Arab nationalists and leftists, twelve were independent Islamists, and the remaining 26 were considered conservative and traditionalist supporters.



### **7.2.3. Parliamentary Blocs: 1989-1993**

From the initial convening of parliament in 1989, deputies had begun to form parliamentary blocs, and these acted as pressure groups. Most of the parliamentary blocs at this stage were bound much more by personal affiliation than by ideology, and had no mass following.

Although there were three main trends, the members of the Chamber of Deputies in fact divided into six blocs. The leftist and pan-Arab nationalist trend was represented by the Democratic Assembly bloc, with 9 deputies; the conservative and traditionalist trend was represented by the Nationalist bloc (with 16 deputies), and the Constitutional bloc (with 16 deputies). The Islamist trend was represented by the Islamic Independent bloc (with 6 deputies) and the Muslim Brotherhood bloc - later, the Islamic Action Front (with 22 deputies). The sixth bloc was formed by eleven independents representing various political opinions.<sup>(35)</sup> The Muslim Brotherhood and the Democratic Assembly blocs had the most coherent ideology and thoughts, whilst the other blocs lacked a well-defined political vision.

In November 1990, the emergence of a coalition of several blocs took place. The Parliamentary Unionist Alliance appeared as one of the strongest blocs. It consisted of the Muslim Brotherhood, several Islamic independents, seven Conservatives members, and five Nationalists members. The initial aim of the Alliance was to ensure the election of a Muslim Brotherhood member, Abd al-Latif Arabiyyat, as speaker of the Chamber of Deputies. This was achieved and Arabiyyat remained speaker of the Chamber until the end of 1991, at which point he was re-elected for a further two years.<sup>(36)</sup>

The establishment of parliamentary blocs was due to the weakness of the party system within the Chamber of Deputies. By the formation of the various blocs, deputies were

able to influence the executive in decisions such as the votes of confidence and budgetary matters.

## **Conclusion**

From 1957 to 1989 trade union and professional associations attempted to fill the role of political parties, but were constrained in their actions by the legislation under which they operated. However, the parties banned in 1957 unofficially penetrated these institutions. The role of the civil society institution was enhanced by the 1989 parliamentary elections which presented the first true chance for political parties to be publicly, although unofficially, active rather than engaged in secret activities, with the exception of the Muslim Brotherhood, who had been openly active as a charity all the time. This unofficial change allowed parties to have some representation in parliament. However, no political parties, with the exception of the Muslim Brotherhood, participated to any great extent in the 1989 election. Candidates were viewed more in terms of political orientation than in term of party representation. The Political Parties Law of 1992, created the opening for twenty political parties to be registered. Thirty-two deputies took the chance to become official party members. The general weakness of the party system led to the creation of parliamentary blocs. These blocs were not static and lasted only briefly and therefore lacked stability. The bloc situation was based on personal meetings between independent deputies for discussion and debate. Of all the blocs in parliament, the Muslim Brotherhood maintained the greatest unity and was represented by the largest number of deputies. Moreover, the absence of a political programme gave the executive authority the opportunity to manoeuvre and co-exist with the Chamber of Deputies in dealing with parliament

## FOOTNOTES

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## **Chapter Eight**

### **The 1993 Elections; The Emergence of Formal Political Pluralism**

#### **Introduction**

The November 1993 parliamentary elections were the first multi-party elections in Jordan since 1956. These elections were held with the official participation of groups from across the political spectrum, including Islamist, leftist, nationalist, and conservative and traditionalist groupings. The 1993 elections were only the most recent step in a political liberalisation process that had begun following the April riots of 1989. The most significant difference between the 1993 election and that of 1989 was that political parties were now able to compete openly, on the basis of the 1992 Political Parties Law. A new variable of political pluralism was therefore present, allowing 20 political parties to participate and nominate candidates. Moreover, the 1993 elections took place in a different political atmosphere to that of the 1989 elections. This was a result of the change in regional and international relations affecting Jordan, including the Iraqi invasion of Kuwait, the United States led war against Iraq, the convening of the Madrid Peace Conference, and the PLO-Israel Accord. The electoral law had, moreover, been amended to impose a one-person, one-vote formula, replacing the former system of multiple votes.

This chapter will examine the operation of the different political parties in Jordan and the development of a political consciousness among the Jordanian people in response to the contemporary political context. The chapter will analyse the political change that affected Jordan prior to the election, as well as the conduct of political parties and the results of political trends in the 1993 elections.

## **The Lead-up to the 1993 Elections**

### **8.1.1. Changes in the Regional and International Environment Affecting Jordan**

The 1993 elections were held under different political circumstances to those prior to the 1989 elections, and included a different political and economic context as well as changes in both the Arab world and the world in general. These were reflected in the behaviour of the government and the people during the election.

The elections took place in an atmosphere that reflected the influence of both the regional and the international environment. At the international level, the collapse of the socialist camp and the end of the cold war had left the United States, as the sole international leader, declaring that a new world order should be established. This had two effects on the regional situation. Firstly, it provided the background to the United States intervention in the Gulf War, and secondly it allowed the United States to restart the peace process in Madrid, which ended with the signing of a peace treaty between the Palestinians and the Israelis.<sup>(1)</sup> This was followed by the establishment of an agenda for a peace treaty between Jordan and Israel.

The signing of the PLO-Israel accord on August 28, 1993, increased political tension and created a challenge to the holding of the 1993 elections. Campaigning was well underway when the PLO and Israel announced their accord. Its reference to the possible return to Palestine of those forced out of the West Bank in 1967 led some East Bank nationalists to take the position that the Palestinians who might thereby return to Palestine should not be permitted to vote in the forthcoming elections. Some sources predicted that the elections would be postponed in the light of the new demographic and political uncertainties created by the PLO-Israel accord.<sup>(2)</sup>

The possibility of postponement brought about political debate among Jordanian political groupings. Most of the centrist parties called for the postponement of the elections because of the potential demographic change in Jordan. The leftist and pan-Arab Nationalist groupings were against postponement, as was the Islamic Action Front, while the Arab Islamic Democratic Movement, which targets liberal Islamists, preferred the postponement of the elections.<sup>(3)</sup>

However, on September 28, 1993, the Jordanian prime minister announced that the elections would take place on November 8, 1993 as originally scheduled.<sup>(4)</sup> This decision, rather than seeking postponement because of the PLO-Israel accord, was viewed positively in the institutionalisation of the political process in the Kingdom.

The impact of the Second Gulf War also affected the elections. The forced return of around four hundred thousand Jordanian citizens working in the Gulf states, increased Jordan's population by 10 per cent, and in turn increased unemployment by 2 percentage points from 16.8 per cent of the population in 1990 to 18.8 per cent by the end of 1991.<sup>(5)</sup> The return from the Gulf also added a new variable to Jordan's electoral equation, as most returnees were businessmen, professionals and technicians who preferred to vote for liberal and moderate candidates.

The majority of returnees took up residence in three main areas, Amman Governorate (57.1%), Zarqa (24.2%), and Irbid (13.3%), which were already under-represented in the Chamber of Deputies. This helped to increase the number of registered voters between 1989 and 1993, from 1,020,446 to 1,501,280; about 100,000 of the newly registered voters were returnees.<sup>(6)</sup>

In addition, the cancellation of Western and Arab aid to Jordan because of its support for solving the crisis peacefully within the framework of the Arab League, and its

condemnation of Western intervention in the area, had adversely affected the internal economic situation in the country.<sup>(7)</sup>

However, the Gulf crisis did improve political co-operation between the leadership and parliament, and led to greater national unity, with the political parties appearing to conclude that unity was essential if the country was to survive at all.<sup>(8)</sup>

### **Domestic Political Context of the Election**

#### **8.1.2.1. The Appointment of the Transitional Government**

The first step towards the preparation of the election was on May 29, 1993, when King Hussein appointed a new transitional government headed by Abd al-Salam al-Majali, designed to lead the country into its first multi-party general election, due to take place on November 8. The appointment of al-Majali, the head of the Jordanian delegation to the Middle East talks, indicated the King's commitment to the peace process with Israel. In his letter of appointment to al-Majali, the King emphasised the importance of continuing with the peace process. The King stated:

We have chosen, in a comprehensive Jordanian meeting, to go ahead on the path of just and comprehensive peace which can be accepted and protected by successive generations. Peace which returns to the Palestinian Arab people its legitimate rights to national soil and returns to the Arabs and Muslims their rights to the holy sacred places (i.e. Jerusalem).<sup>(9)</sup>

The King stated that the new government should conduct the general election fairly and that voters should elect the candidates who would best serve their interests:

As I lay on your shoulder and on the shoulders of the new government this great national task, I am absolutely sure that you will be as keen as me that the next council will be for the homeland and for all members of the one Jordanian family without any discrimination. You will also be eager to firmly take all possible, appropriate and required measures in order to lead the electoral



process on the basis of the constitution, which guarantees for all members of this family, males and females, complete equality of rights and obligations and to make available to all people their right to participate in electing the coming council. The elections should be free, fair and impartial, involving all the people and remind each elector (male or female) to realise his or her responsibilities towards their country and nation. Their vote should be granted to the best, candidate whose aims and ends are to serve the homeland.<sup>(10)</sup>

On July 30, 1993, 15 political parties including the Islamic Action Front, the Arab Ba'th Socialist Party, the Jordanian Arab Democratic Popular Party, the Jordanian Progressive Democratic Party, the Jordanian Socialist Democratic Party, the Jordan People's Democratic Party, and a number of parliamentary deputies and well-known personalities, sent a letter to Abd al-Salam al-Majali, the Jordanian prime minister, demanding that the government lower the voting age from 19 to 18, increase the number of seats in the Chamber of Deputies, cancel the reservation of seats for minorities, and alter the electoral boundaries to guarantee equal access to all voters.<sup>(11)</sup> However, these demands were not acted upon.

#### **8.1.2.2. Debate Concerning the Dissolution of the National Assembly**

On August 4, 1993, King Hussein issued a royal decree dissolving the 80-member Chamber of Deputies, the country's 11th parliament, which had been elected in late 1989 on a non-party basis. The decree read, "We, Hussein the First, King of the Hashemite Kingdom of Jordan, in accordance with Article [34] Provision [3] of the Constitution, order the Lower House of Parliament dissolved as of August 4, 1993". The King announced that the country's first multi-party elections to the Chamber after some 37 years would take place on November 8.<sup>(12)</sup> The decision to dissolve parliament was seen by observers as a preliminary step towards changing the electoral law and for this reason, was widely criticised by the Islamic Action Front, the Jordanian Arab Democratic Party, the Jordanian Ba'th Arab Socialist Party, the Progressive Democratic Nationalists and a large number of parliamentary deputies, ex-deputies and well-known political personalities. They indicated that the decision to dissolve parliament

contravened the democratic process in the Kingdom. These political forces signed a statement on August 8, 1993, expressing their opposition to the government's decision to dissolve parliament three months before its mandate ended. The text of the statement read:

The coalition of political forces aligned against surrender and capitulation is following with deep concern the implication behind the government's decision to dissolve parliament three months before its mandate is due to end according to provisions of the Jordanian Constitution. The decision to dissolve the Lower House of Parliament coincided with a wide scale campaign aimed at paving the ground for a new Election Law and were coupled with signs of satisfaction over these developments displayed in certain American circles.

In light of this situation, many people are haunted by increasing fears that the measures are being carried out to fulfil the desires of foreign and other Arab circles which have made no secret of their fears from the Jordanian democratisation process. Acting from our deep conviction that the Constitution should remain the only source of all powers, we hereby join the majority of Jordanians in voicing our opposition to the dissolution of Parliament for the following reasons:

First: There should not be any vacuum of authority. Should the Executive Authority resign or be relieved of duty, it is normally requested to continue in office until a new government has been formed to take its place so that no vacuum is created. Should the post of the head of state become vacant for any reason, it is normally filled immediately because state authority accepts no vacuum by nature. The Legislative Authority should remain in office until the results of the following parliamentary elections have appeared.

Second: According to norms, the Lower house is dissolved when it becomes impossible for it to cooperate with the Executive Authority and this is done for the sake of averting any paralysis in the state function. In this case, parliament and the government are dissolved to pave the ground for a provisional government to supervise the next parliamentary elections. Never should parliament be dissolved before its mandate has been completed unless there was a stalemate between the executive and the legislative authorities and there was no room for them to work on a common understanding.

Third: The remaining period in the life of the Lower House of Parliament was not a short one especially in view of the critical stage our region is going through and in the light of circumstances whose results no one is able to predict. It would have been better for a country to confront future eventualities with a Lower House of Parliament which can help deal with any development. We

would like to recall a move by the government in 1984 when it had to seek a royal decree to call the dissolved parliament to convene to endorse a constitutional amendment following which the House was dissolved again.<sup>(13)</sup>

These political forces expressed their opposition to any future change of the election law, arguing that:

We had hoped that the government would take steps towards preparing for the parliamentary elections and not to pounce on the democratic process, which had effectively contributed towards reflecting the cultural image of Jordan in the Arab region, causing it to regress. Since the government has failed to listen to advice, it is now called upon to conduct parliamentary elections in accordance with the existing Election Law and not according to a temporary law which is not backed by any provision in the Constitution which the government had vowed to uphold and respect.<sup>(14)</sup>

The dissolution of the National Assembly four months before it was due to come to the end of its term does indeed seem to have been undemocratic, insofar as it pre-empted parliament from determining the content of the election law.

#### **8.1.2.3. The Electoral Law Legal Changes (One-Person, One-Vote Formula)**

From the time of the announcement of the date of the election, while many politicians were convinced that a change in the election law was imminent, there was also growing speculation in the local press. It was also expected that the amendment was likely to be in the form of the introduction of a one-person, one-vote formula, without changes to the electoral constituencies in the country. This was confirmed in King Hussein's speech at the Brookings Institution in Washington, in June 1993, when he spoke about the amendment of the election law, saying:

In Jordan we are about to embark on further steps towards democratisation. We are preparing for general elections. On our return we shall discuss with all the elements and the schools of political thought that put together the National Charter the

possibility of modifying or improving the election law on the basis of the Constitution that stipulates that all Jordanians are equal in terms of their rights and their responsibilities, and the area of discussion will probably centre around the one-person, one-vote system. And of course we are entering a new phase since these last few years have seen the return of hundreds of thousands of Jordanians to their homeland, and many of them will be partaking in these elections that are scheduled for a time towards the end of this year.<sup>(15)</sup>

On August 17, 1993 King Hussein made a televised speech, in which he announced a number of 'temporary changes' to the country's voting laws. The November elections, he announced, would be based on a system of one-person, one vote formula. He declared:

We have endorsed a new temporary law stipulating an amendment to the election law submitted by my government, which is charged with holding free elections in this country under my guidance and supervision. The new temporary law entitles the electorate to cast one vote for one candidate in the new Lower House of Parliament.<sup>(16)</sup>

Under the previous system, electors had been permitted to cast as many votes as there were members in the constituency. Article [46] Paragraph [B] and Article [52] were amended such that voters had the right to vote for one candidate only.<sup>(17)</sup> Paragraph [B] of Article [46] was amended to read:

The Voter shall write the name of the Candidate he wishes to elect on the Ballot Paper given to him by the Chairman of the balloting Panel and shall return to the Ballot Box to deposit the Ballot Paper therein. An illiterate Voter may ask the Chairman of the Balloting Panel to write the name of the Candidate the Elector wishes to elect; after having written down the name, the Chairman shall read the name out within earshot of the Balloting Panel.

The text of Article [52] of the 1986 Election Law was also repealed and the following text was substituted:

- A. If any Ballot Paper contains more than one of the names of the Candidates, only the first name shall be taken and the other names therein shall be omitted.
- B. If the name of the Candidate in the Ballot Paper is not clearly readable, but the paper contains enough presumptions to indicate it and prevent any confusion, then the name shall be considered as that of that Candidate.

The move to 'assist democracy' was, however, being made in an undemocratic manner, with the King, backed by the transitional government, announcing important changes in the electoral law, without parliamentary discussion.

#### **8.1.2.4. The Debate Concerning the Legal Changes (One-Person, One-Vote Formula)**

The new change in the election law received considerable criticism in meetings, seminars and in the media from Jordanian political parties. Most of the criticism came from the Islamists, the leftists and the pan-Arab nationalists, who believed that the amendment of the election law by introducing a one-person, one-vote formula would reduce their chances in the coming elections, and would favour candidates who came from large tribal and traditional groups.<sup>(18)</sup> The fear arose because the electorate was now likely to vote according to their tribal/family affiliations rather than on an ideological basis. The parties who were critical of the move threatened to take legal action against the government for introducing the changes without parliamentary consultation. They also condemned the King's decision to dissolve parliament before the change was announced, claiming that this was a deliberate move to prevent parliament debating the new electoral rules.

The response of the Islamist opposition to the change in the electoral law was to review its participation in the general election. The Muslim Brotherhood initially threatened to boycott the election, believing that the strategy was deliberately designed to scale down their representation in the Chamber of Deputies.<sup>(19)</sup> However, on August 28, 1993, 85

per cent of the IAF's Consultative Council voted in favour of participation in the coming elections.<sup>(20)</sup> Dr Ishaq al-Farhan, Secretary General of the Islamic Action Front, emphasised that "the one-person, one-vote formula was designed to reduce the strength of the Islamic Action Front party in the election, and argued that non-participation in the election would mean isolation and political death".<sup>(21)</sup>

The Socialist Ba'th Party's opposition to the change in the election law was emphasised by Ahmad al-Najdawi, the party spokesman, who stated, "this change would increase the individual, personal, and tribal affiliations which will not enhance democracy and the change must be submitted to the Chamber of Deputies for approval".<sup>(22)</sup> Azmi Khawaja, Secretary General of the Jordanian Democratic Popular Unity Party, also criticised the change and stated, "the change of the election law does not allow equality between citizens in different constituencies. It will strengthen the role of tribalism and sectarianism, and prevent parties from forming an electoral coalition".<sup>(23)</sup>

Despite their objections, all political parties nonetheless agreed to participate in the elections. However, debate over the change was extensive and lively in both the press and in public fora. The amendment affected the manner in which the election campaign was conducted in two ways. Firstly, by lowering the level of candidate participation, less well-connected candidates felt they had less chance of being elected because voters would tend to vote for members of more influential families. Secondly, it prevented candidates making informal coalitions which, in the 1989 election, had allowed voters to vote for a list of candidates.

### **Preparation for the 1993 Elections**

On September 28, 1993, the Jordanian Prime Minister, Abd al-Salam al-Majali announced that parliamentary elections would be held on November 8, 1993 as originally scheduled. He confirmed this by stating, "There are no extraordinary

circumstances that warrant postponing the elections". He added, "We are keen to continue with our democratic process and parliamentary life."<sup>(24)</sup> This announcement came only ten days before the dead-line for government officials who were planning to contest the polls to submit their resignation (30 days before the actual day for election).<sup>(25)</sup> The government started receiving applications for candidacy from October 14.

### **8.2.1. Voter Registration**

At the end of June 1993, the Ministry of the Interior began making arrangements for the registration of voters for the forthcoming elections. Those who had been registered for the 1989 elections were not required to register again as their registration remained valid. However, those citizens who had been outside the country and were unable to register and vote during the 1989 elections, voters who had changed their residence, or citizens who had just come of voting age (19 years or older) were required to register during the July registration period.<sup>(26)</sup> As registration cards contained a photograph of the individual concerned, and the card had in due course to be presented to the electoral officer, the possibility of a dead person's card being misused was discounted.

According to the Ministry of the Interior's Official Electoral Report, the estimated population of Jordan in July 1993 was around 4,284,770 (51 per cent male, 49 per cent female), and the total number of voters who registered in the country over the age of nineteen was 1,501,280 out of an estimated 1,800,000 eligible voters.(see table 8.3) This excluded members of the armed forces, the police, and the security services who are not allowed to vote under the election law.

On October 16, 1993, registered voters started to collect their cards. The deadline for this was extended from 30 October to 3 November. Of the total registered, 1,203,429 collected the necessary voting cards.<sup>(27)</sup> According to the Ministry of the Interior,

12,069 voters applied to change their voting districts. In 1989, the number of registered voters was 1,020,446 out of a population of around 3,280,244.

Table 8.1 illustrates the actual seats allocated to each constituency compared with the number which ought to have been designated if the seats had been allocated in relation to the size of population. These figures are based on an 80 seat assembly with a total population of 4,284,770 giving a ratio of one seat per 53,559 citizens.

**Table 8.1: The Populations, Voters, Seats, and Seats Allocated Proportionally**

Electoral district	1993 Population	Registered Voters	Actual Seats	Proportional Seat	al
Amman (1)	325070	95002	3	6.2	
Amman (2)	535430	110490	3	10.3	
Amman (3)	305000	103672	5	3.6	
Amman (4)	149075	81466	2	2.8	
Amman (5)	340020	95718	5	6.5	
Amman (6)	97400	43212	3	1.8	
Balqa	255000	126440	8	4.9	
Karak	168385	83996	9	3.2	
Tafleh	67000	26910	3	1.1	
Ma'an	95000	36516	5	2.1	
Zarqa	639035	204686	6	12.3	
Ma'raq	100000	33304	3	1.4	
Irbid	485200	168078	9	9.3	
Ajloun	100575	47456	3	1.9	
Jerash	124425	40633	2	2.3	
Ramtha and Bani Kinanah	152400	59249	3	2.9	
Koura and North Ghor	152400	61695	2	2.9	
Northern Bedouin	81940	33146	2	1.5	
Central Bedouin	51465	25323	2	1.2	
Southern Bedouin	59950	24288	2	1.1	
Total	4284770	1501280	80	*80	

Source: Ministry of the Interior, Official Electoral Report, 1993.

\*The Researcher has corrected the overall total given, as these were incorrect in the Official Report.

\*Figures do not tally to 80 due to rounding.

The election law of 1986, with its amendment of 1989, designated a disproportionate number of seats to rural areas and minority groups. Despite changes in the size of the population in constituencies between 1989 and 1993, no alteration was made to the number of seats allocated. From the above table it is clear that a number of major



constituencies in the Kingdom were underrepresented in terms of electoral seats according to the population. For example, the second district of Amman with over 110,490 registered voters had an allocation of a mere three seats, whereas the Governorate of Ma'an, with only 36,516 registered voters, received five seats.

### **{Candidates Nomination}**

In spite of the amendment of the electoral law to a one-person, one-vote formula, and the consequent reduction in the number of candidates from 647 in 1989 to 534 in 1993, there was still a significant number of candidates registered in the various electoral constituencies. Nomination of candidates for the November 1993 elections officially began during a 3-day period starting 14 October 1993. By 17 October 1993, 559 men and women had registered themselves as candidates. No candidate was rejected on political grounds. According to the election law, the Administrative Governor has three days in which to accept or reject the applications. The Ministry of the Interior used the electoral law to reject the applications of a number of candidates in more than one constituency. The most important of these was the application from Dr. Bassam al-'Umush, the Islamic Action Front candidate in Zarqa constituency, who failed to resign from Jordan University within the specified time. Another was the journalist, Hammad Faranah, as he was an active member in the Palestinian National Council. The third was Dr Nimr Sirhan, as he had not held Jordanian citizenship for at least ten years. The rejected candidates appealed to the courts, which then allowed Dr. al-'Umush and Faranah to run for election but approved the rejection of Dr. Sirhan's application.<sup>(28)</sup> Twenty-five candidates withdrew their candidacy before the actual date of the polls. A final list of nominees to contest the polls totalled 534 candidates (of which only three were women), a ratio of over 6.7 candidates per seat. Candidates' names were announced at the end of October after the appeal courts had ruled on the contested applications.<sup>(29)</sup>

## The 1993 Elections Campaign

Officially, campaigning was to begin 25 days before polling day. In practice, it began after the Ministry of the Interior had approved the candidates' nominations. Despite the government's promise not to interfere in the election campaign, at the beginning it announced a ban on public political meetings. Therefore, from 16 October 1993 official campaigning took place mainly through banners hung from electricity poles and shops, posters, leaflets, newspaper advertisements, private visits and meetings until the ban on public rallies was overturned by the Higher Court of Justice on October 28, only ten days before voting day. This made for a fairly low-key campaign, although campaigning became more active after permission was granted for the holding of rallies. Independent leftist and Islamist candidates invited their followers to public meetings that injected some life into the campaign.<sup>(30)</sup> The election campaign lasted until 7 November 1993.

The method of campaigning differed from one electoral constituency to another and reflected each constituency's social background. For example, the first and second districts of Amman are dominated by Palestinian refugees in two large camps, who are traditionally largely apathetic to election campaigns, due to their low expectations and feeling of alienation from the political process. In these districts the major theme which most candidates emphasised was the PLO-Israeli accord, despite the majority of voters being more concerned with public services and the hardships of daily life.<sup>(31)</sup>

In the three bedouin electoral districts many candidates sought tribal support and emphasised common concerns and tribal values, in addition to national issues. The bedouin candidates contested the polls through the old traditions of the tribes. Guest houses (*madhafah*) were used for meetings, while other public gatherings took place in offices, private homes and social centres. Candidates emphasised the personal levels of communication with their constituents through home visits. The *madhafah* were

considered by bedouin candidates as the main channel for dialogue between candidates and voters.<sup>(32)</sup>

Banners were scarce or non-existent in the bedouin districts as campaigning was based almost exclusively on tribal affiliations and traditional relations among the tribes, rather than on ideological sloganeering. In contrast, outside the bedouin constituencies, banners were used by the majority of candidates and numerous advertisements were apparent in the urban centres. The IAF had the most concerted advertisement campaign, which included strategically located banners.<sup>(33)</sup>

The 1993 election campaign did not have the mass fervour that the 1989 election race had, because there was more cynicism among the Jordanian population as to what could be gained through the electoral process. Despite this, reliable estimates indicate that more than JD40 million (£38 million) was spent by the candidates in their attempt to win the hearts and minds of the people through massive advertising, leaflets, posters, lavish campaign rallies and paying support staff.<sup>(34)</sup>

#### **8.2.3.1. Campaigning Issues**

The major effort of the electoral campaign began unofficially in the summer of 1993. The most important issues in the candidates' platforms seen on the street banners, related to political and economic events, the peace process, national unity, womens' rights and equality, strengthening democracy and institutional reforms, and fighting corruption and unemployment. These issues can be organised into two categories. First, there were issues which related to the local concerns of the constituency. For example, bedouin candidates stressed the need for building roads, schools and hospitals locally and creating jobs in their constituency.<sup>(35)</sup> The second category reflected national issues. Thus, Islamists focused mostly on the peace process, national unity, and the rejection of the 'Jordanian option'. Former MPs reminded the electorate of their

record of public service and focused on freedom of speech, social justice and equal opportunity. Candidates focused on the interests of the working class, as well as economic development, public services, and women's rights.<sup>(36)</sup>

A significant feature of the election campaign was the dominance of tribal and centrist forces and the concomitant strength of local identification over ideological or political affiliation. This was revealed not only by the result of the election, but also by the style of campaigning. The one-person one-vote formula made the election campaign less focused on political issues and resulted in the candidates concentrating on the traditional bases of power. The success of the campaign came to depend on local demands and the family and tribal dimensions, in addition to the influential power of wealth and economic and social status, rather than on those issues which affected the run up to the elections, such as the peace process.

### **Candidates Platforms**

An electoral platform is one of the most important forms of communication between candidates and voters. Through this, candidates outline their policies, future ambitions, and preferences in future parliament. The electoral platforms of candidates in the 1993 election can be divided between those of independent candidates and those put forward by parties platforms. They are discussed separately below.

#### **8.2 Platforms of Independent Candidates**

Independent candidates competed in the election without a formal affiliation to any political party. They were generally centrist in political inclination and relied primarily on tribal support. Most independent candidates' platforms were concerned mainly with public services and the hardships of daily life, and focused on enhancing democracy, national unity, stability, social justice, administrative reforms, protecting farmers, the rights of workers and a better level of allowances. For example, Ali Abu al-Raghib, a

former minister and MP, focused his electoral platform on democracy, productivity, freedom of speech, social justice, equal opportunity, and a better future for children. To win the Palestinian vote, Abu al-Raghib who competed in the mainly Palestinian third constituency of Amman, also focused his electoral platform on the Palestinian issue and the right of Palestinians to return to their homeland.<sup>(37)</sup> Tahir al-Masri, a former prime minister and MP, concentrated his electoral platform on the development of national economic legislation, the right to work and the protection of the rights of the labour force, administrative reforms and public services.<sup>(38)</sup>

Candidates who appealed to Palestinian voters focused mainly on the PLO-Israel Accord, which became the main election issue for candidates in Palestinian-dominated constituencies. In these areas, pro PLO candidates tried to attract voters from Palestine who favoured the accord, while others, who rejected the PLO-Israeli accord, appealed to 'nationalist forces'. In the event, the majority voted for candidates who opposed the accord. Candidates in constituencies other than those composed of Palestinians tried to encourage more people to vote for them by focusing on issues related to the voters' direct needs and concerns.<sup>(39)</sup> Despite their independence, voters generally recognised that candidates identified with one of three trends: Islamist, conservative and traditionalist, leftist and pan-Arab Nationalist.

## **8.2 Political Parties Platforms**

Political parties, as noted above, were officially allowed to participate in the elections for the first time since 1956. However, most of the party candidates tended to stress tribal, ethnic and family affiliations rather than their party platforms. Some parties issued a list of official candidates, whilst other party candidates contested the election as independents, albeit with the formal backing of a party. The latter were known as affiliated independent candidates. Thus, only six of the 20 licensed political parties contested the polls with an official platform. The other 14 parties while fielding

candidates did not contest the elections with an official platform. The reason for this position was an attempt to overcome lingering public fears about political affiliation dating back to 1957 when parties were banned and their members were subject to subsequent political repression. Thus, the candidates produced individual manifestos and sought support on a tribal and family basis rather than on an ideological basis. The six official parties manifestos are discussed below.

#### **8.2.4.2.1. The Islamic Action Front Party**

The Islamic Action Front Party, the political arm of the Muslim Brotherhood, fielded thirty six official candidates in seventeen of the Kingdom's twenty electoral constituencies. The IAF party ran the election with a national platform which had three major focuses; internal issues, the Palestinian problem, and Arab and Islamic issues. These were quoted in the manifesto as follows:

- **The internal issue**

1. Consolidating the role of parliament and enabling it to achieve its objectives as the legitimate authority and representative of the people.
2. Improving the controlling role of the executive authority.
3. Establishing a national comprehensive civil service system which could be applied to all government employees.
4. Resisting any tendency or policy calling for developing relationships with Israel.
5. Ensuring and consolidating national unity according to the heritage of Islamic values by giving equity and fair treatment to all citizens in all aspects of life .
6. Ensuring the right of expression of faith and beliefs.
7. Aiding and encouraging self-reliance schemes and establishing charitable organisations, social societies, cultural and sports clubs and youth organisations.
8. Improving security and fighting crime and criminals.
9. Fostering a comprehensive agricultural policy in order to bridge the gap between production and consumption.
10. Solving the problem of farmers' accumulated debts and safeguarding their rights.
11. Reviewing and re implementing the sales tax and the law of the Chamber of Commerce.

12. Improving the worker law and safeguarding the freedom of trade unions and their independence.
13. Continuing to establish student unions in Jordanian educational institutions and youth institutions.
14. Improving legislation concerning the rights of women and their employment.
15. Consolidating and improving the armed forces and their training, and introducing compulsory military service.
16. Consolidating and improving the civil defence bureau and its training, and providing the necessary equipment.
17. Improving the work of the accounts bureau and its controlling role .
18. Establishing an information policy on freedom of thought and the right of expression.
19. Improving the national curriculum and school text books to meet the objectives of education.
20. Implementing the principle of equal opportunity and fair competition to all employees.
21. Working towards bringing a teachers' union into existence .
22. Continuing to subsidise food and the basic needs of the citizens.

- The Palestinian problem

1. Supporting the Palestinian people and standing with them in their struggle.
2. Safeguarding the Islamic and the Arabic dimension in the Palestinian problem.

- Arabic and Islamic issues

1. Consolidating the cultural, economic and legislative ties between Arab countries, establishing Arab institutions in the field of education and economics and solving border problems between Arab and Islamic countries in a friendly fraternal way.
2. Consolidating cultural, political and economic relations with the independent Islamic countries which were formerly part of the old Soviet Union.
3. Helping and supporting Islamic minorities in achieving and obtaining their rights
4. Implementing Islamic law and regulations. <sup>(40)</sup>

Furthermore, in addition to the party platform, all Islamic Action Front candidates were responsible for designing an individual platform based on the local situation for his own constituency, but without deviation from the national platform. For example, Abd al-

Mun'im Abu Zanat, standing in the mainly Palestinian second district of Amman, stressed the importance of supporting the establishment of a Palestinian state (saying that Jordan could not be a substitute home for the occupied land).<sup>(41)</sup>

While the IAF national and local platforms stressed many of the issues which also concerned other parties, it was able to differentiate itself with its emphasis on Islamic issues, such as Islamic law and regulations.

#### **8.2.4.2.2. The Jordanian Communist Party**

The Jordanian Communist Party fielded three candidates, in Amman Third constituency, in Irbid, and in Amman Sixth constituency. The electoral platform of the Communist party was differentiated from other platforms in stressing the need for a complete national programme for economic, political, cultural and social development and also calling for the rejection of the IMF intervention. The manifesto supported the following issues.

1. National unity and consolidating national independence and democracy.
2. Improving the national curriculum and developing national awareness.
3. Widening the scope of the organisations of teachers, students, workers and farmers.
4. Solving the problems of poverty, unemployment, and the increase in the cost of living, fighting corruption and ending favouritism.
5. A complete national programme for economic, political, cultural and social development.
6. Consolidating Arab solidarity, rejecting any external intervention, and disengaging from the IMF
7. Rejection of any relationship with Israel before solving the Palestinian problem.
8. Supporting the Palestinian people in restoring their rights.
9. A new outlook in eradicating backwardness in all aspects of social life, especially as regards women's, youth, and students' affairs.<sup>(42)</sup>



#### **8.2.4.2.3. The Jordanian Democratic Socialist Party**

This party fielded three candidates, one of them, the Secretary General of the Party, 'Isa Mdanat, in Karak constituency, and two others in Balqa and Amman Third constituency. The distinctive element in the electoral platform of the party was the call to achieve social justice. No other party raised this particular issue. The rest of the manifesto sought:

1. To protect the independence of Jordan.
2. To support the Palestinian people struggle towards building their state.
3. To safeguard and enhance democracy.<sup>(43)</sup>

#### **8.2.4.2.4. The Jordanian Ba'th Arab Socialist Party**

The Jordanian Ba'th Arab Socialist Party fielded four candidates in the twenty electoral constituencies. Two were in Amman third and sixth constituencies, and one each in Tafileh and Karak districts. The Ba'thist electoral platform concentrated on the social and national development of the Kingdom. It called for:

1. Investment in national industry, and helping national industry to decrease the rate of unemployment.
2. A national development programme to decrease the rate of poverty.
3. Participation of women in building the new Jordan.
4. The implementation of an improved working law to safeguard the rights of the workers.<sup>(44)</sup>

#### **8.2.4.2.5. The Jordanian People's Democratic Party (HASHD)**

The Jordanian People's Democratic party fielded three candidates, one each in the Zarqa, Madaba, and Irbid constituencies. Its electoral platform focused on both regional issues, such as Iraq and Palestine, and national issues, as follows:

1. Supporting national unity and standing against any external political or economic intervention.

2. Supporting the Palestinian question and the continuation of the *intifada* in order to establish an independent Palestinian State.
3. Increasing the efficiency and effectiveness of the Chamber of Deputies in controlling government policies and legislating modern democratic rules and laws.
4. Increasing the range of participation in the political decision-making process.
5. Calling for an effective national economy, which would solve the problems of unemployment and ensure the rights of the people to a decent standard of living.
6. Supporting Iraq and the unity of its lands and working towards lifting the injustice of the embargo.<sup>(45)</sup>

#### **8.2.4.2.6. Jordanian Democratic Popular Unity Party (UNITY)**

The Jordanian Democratic Popular Unity Party fielded three candidates, one each in Amman first, Balqa, and Zarqa constituencies. Its electoral platform also concentrated on regional and national issues. It called for:

1. Resisting and denying the Jordanian-Israeli peace agenda and the Palestinian-Israeli treaty.
2. Establishing an independent Palestinian state and the right of self-determination for the Palestinian people.
3. Establishing a Jordanian-Palestinian confederation according to the wishes of the people of the two countries (after establishing an independent Palestinian state).
4. Ensuring equity between citizens in practical terms.
5. Consolidating democracy, freedom, human rights and sovereignty of the law.
6. Fighting corruption.
7. Curing poverty and the unemployment problems.
8. Supporting youth and women's rights.
9. Resisting the interference of the IMF in the Jordanian economy.
10. Enhancing democracy, social advancement and Arab unity.
11. Lifting the unjust embargo on Iraq.<sup>(46)</sup>

The Jordanian People's Democratic Party (HASHD) and the Jordanian Democratic Popular Unity Party (UNITY) were unified shortly before the election under the name of "The Unified Advanced Bloc". Following the merger, a united platform was framed in which the bloc called for:

1. Consolidating national unity and the co-operative relations between the people of Jordan and Palestine, for the sake of complete equity in rights and obligations.
2. Resisting political, cultural and economic intervention.
3. Insisting on the right of Palestinians people to return to a unified homeland and establish an independent country with Jerusalem as its capital.
4. Working towards the rights of women in all aspects, especially economically and politically.
5. Ensuring provision of freedom, democracy and social justice.
6. Realising the right of expression within the limits of the constitution.<sup>(47)</sup>

#### **8.2.4.2.7. Overview of the Political Platforms**

It was clear that the platforms of the parties were based on a number of similar concerns including the need to ensure equity and justice; the future of young people; the rights to expression and freedom; to build a strong national economy; to support women's and workers' rights; and to support the establishment of a Palestinian state. In general, there was considerable consensus between the platforms, and this helped to contribute to the peaceful character of the election.

The majority of Jordanians chose to vote for candidates who would serve society's needs in terms of infrastructure and services rather than those who raised 'lofty slogans' and made promises they could not fulfil. The hardships of daily life in a country, with a foreign debt representing 140 per cent of the gross domestic product and the resulting unemployment and poverty, were clearly the preoccupation of a majority of the voters.<sup>(48)</sup>

#### **8.2.5. The 1993 Election: Level of Competition**

The election law of 1986 had allocated 80 seats to Jordan's 20 electoral constituencies, distributing them between Muslims (68), Christians(9), Circassians and Chechens (3). The 534 candidates consisted of 478 Muslims, 46 Christians, and 10 Circassians or

Chechens. With regard to the number of candidates in different constituencies, Irbid with 60 candidates had the most, followed by Karak with 56 candidates, and Zarqa with 53 candidates, while the northern bedouin constituency had the smallest number with 10 candidates. Table 8.2 shows the level of competition between candidates and the distribution of seats.

**Table 8.2: Candidates Level of Competition, and Seats Distribution**

constituencies	distributions of seats			distributions of candidates			total of seats	total of candidates	level of competition			
	M	C	CI	M	C	CI			M	C	CI	General
Amman (1)	3	-	-	21	-	-	3	21	7.0	-	-	7.0
Amman (2)	3	-	-	22	-	-	3	22	7.3	-	-	7.3
Amman (3)	3	1	1	15	10	3	5	28	5.0	10	3	5.6
Amman (4)	2	-	-	20	-	-	2	20	10.0	-	-	10.0
Amman (5)	4	-	1	36	-	4	5	40	9.0	-	4	8.0
Amman (6)	2	1	-	15	7	-	3	22	7.5	7	-	7.3
Balqa	6	2	-	43	4	-	8	47	7.1	2	-	5.9
Karak	7	2	-	48	8	-	9	56	6.8	4	-	6.2
Tafileh	3	-	-	17	-	-	3	17	5.7	-	-	5.7
Ma'an	5	-	-	18	-	-	5	18	3.6	-	-	3.6
Zarqa	4	1	1	45	5	3	6	53	11.3	5	3	8.8
Mafrag	3	-	-	17	-	-	3	17	5.7	-	-	5.7
Irbid	8	1	-	56	4	-	9	60	7.0	4	-	6.7
Ajloun	2	1	-	18	8	-	3	26	9.0	8	-	8.7
Jerash	2	-	-	13	-	-	2	13	6.5	-	-	6.5
Ramtha & Bani Kinanah	3	-	-	18	-	-	3	18	6.0	-	-	6.0
Koura and North Ghor	2	-	-	19	-	-	2	19	9.5	-	-	9.5
North Bedouin	2	-	-	10	-	-	2	10	5.0	-	-	5.0
Central Bedouin	2	-	-	14	-	-	2	14	7.0	-	-	7.0
South Bedouin	2	-	-	13	-	-	2	13	6.5	-	-	6.5
Total	68	9	3	478	46	10	80	534	7.2	51	33	6.7

M. Muslim, C. Christian, CI. Circassian and Chechen

Source: Jordan's 1993 Election, Al-Urdun al Jadid Research Centre, Amman, Jordan, 1993, p. 23.

According to the above table, the average competition level in all constituencies was 6.7 candidates per seat. The greatest competition for a Muslim seat was 11.3 candidates per seat in Zarqa constituency, whereas in Ma'an there were only 3.6 candidates per seat. The highest competition level for the Christian seats was 10 candidates per seat in Amman third constituency and the lowest was 2 candidates per seat in Balqa constituency. The highest competition level for the Circassian and Chechen seats, was 4 candidates in Amman fourth constituency and the lowest was 3 candidates per seat in both Amman third constituency and Zarqa constituency.

Although 534 candidates stood in the 1993 election, this was substantially less than the 647 candidates who stood in the 1989 election. One reason for this can be found in the change in the electoral system to a one-person, one-vote formula. The potential candidates believed that this change would encourage voters to support tribal candidates rather than ideological positions, thus reducing their chances of success.

#### **8.2.6. The 1993 Elections: Participation**

Of the 1,501,280 registered voters, 1,203,429 collected the necessary voting cards. The number of those who actually voted on the election day was 822,306, representing 68 per cent of those who collected their voting cards.<sup>(49)</sup> Table 8.3 shows the percentage of participation in the 1993 elections.

**Table 8.3: The Percentage of Participation in the Election of 1993.**

Population of Jordan at the end of 1993	4,284,770
Number of Eligible Voters	1,800,000
Number of Registered Voters	1,501,280
Number of People Carrying Voting cards	1,203,429
Number of Actual Voters	822,306
Proportion of Voters to Voting Cards Holder	68.0%
Proportion of Voters to Registered Voters	54.7%
Proportion of Actual Voters to Eligible Voters	45.6%
Proportion of Registered Voters to Eligible Voters	77.0%
Proportion Voting Cards Holder to Eligible Voters	62.0%
Proportion Voting Cards Holder to Registered Voters	80.0%

**Source:** Ministry of the Interior, Official Electoral Report, 1993.

According to table 8.3, the proportion of registered voters was 77 per cent of the total number of eligible voters in the Kingdom. About 80 per cent of registered voters actually collected the necessary voting cards, and voter turnout ran at approximately 45.6 per cent of all eligible voters, compared with 40 per cent in the 1989 election, with suffrage in both elections based on all Jordanians over 19 years of age.<sup>(50)</sup> The turnout in the 1989 election was 62 per cent of card holders, which increased in the 1993 election by 6 per cent.

The distribution of seats to electoral constituencies was determined by the Electoral Law of 1986 and its amendments of 1989. Table 8.4 shows the number of eligible voters, registered voters, voting card holders, and actual voters in each constituency.

**Table 8.4: Number of Participants in the 1993 Elections**

Electoral district	Eligible Voters	Registered Voters	Voting Card Holder	Actual Voters
Amman (1)	157330	95002	59000	35844
Amman (2)	259150	110490	65152	43111
Amman (3)	92680	103672	76402	47572
Amman (4)	72155	81466	73539	41278
Amman (5)	164572	95718	73093	49668
Amman (6)	47140	43212	40869	28804
Balqa	119085	126440	113186	73061
Karak	75260	83996	80353	59093
Tafileh	30930	26910	24366	19931
Ma'an	47090	36516	33907	26625
Zarqa	304180	204686	135710	91453
Mafrq	33520	33304	28397	23160
Irbid	216380	168078	134666	94661
Ajloun	44860	47456	43480	29325
Jerash	55500	40633	35476	27433
Ramtha and Bani Kinanah	67990	59249	55925	39811
Koura and North Ghor	67975	61695	52939	37039
N. Bedouin	34570	33146	30340	21659
C. Bedouin	34293	25323	24503	16046
S. Bedouin	25000	24288	22126	16732
Total	1949660	1501280	1203429	822306

**Source:** Ministry of the Interior, Official Elections Report, November 10, 1993.

\*The researcher has corrected the overall total given, as these were incorrect in the Official Report.

The average turnout in the Kingdom was 68 per cent. As shown in table 8.4, there was a high level of voter registration. In several constituencies, registration exceeded 100 per cent of eligible voters (Amman third and fourth, Balqa, Karak, and Ajloun). This could be attributed to the transfer of registration from the voters' place of residence to the constituencies where the families originated, thus creating a situation where the number of registered voters exceeded that of eligible voters. This followed the change in the election law to a one-person, one-vote formula, which as discussed previously, increased the tendency to vote along tribal rather than ideological lines. The highest turnout was in Tafileh and Ma'an, with 74 per cent and 72.9 per cent of registered voters respectively, whereas the lowest turnout was in Amman first constituency with

37.7 per cent. The Jordan Times claimed three reasons for the high overall turnout. First, many voters realised that the move towards democracy was irreversible and votes should not be wasted. Second, most families and clans realised that the one-person, one-vote formula would increase the importance of a vote as a candidate would be elected to parliament on a smaller number of votes than in 1989. These people voted because of close clan and family links or social ties with the candidates. Third, on November 7, the King issued a call to all voters to exercise their right to vote as an unshirkable national duty.<sup>(51)</sup> The King stated:

Let our proud people come out and appear in this day of democracy [the election day] and let us serve as an example and a model of conduct in protecting the achievement of the homeland which we have built with patience, toil and sacrifice. Let us live up to the expectations of our march with hope and admiration of which we are worthy.<sup>(52)</sup>

Although the overall voters turnout could be considered high, according to the Jordan Times a number of reasons contributed to the abstentions from voting. First, many families registered their names and collected the necessary voting cards but some of the voters were abroad at the time of the election. Second, many families despite having registered and collected the necessary voting cards, were not interested in voting due to the absence of a familiar candidate. Third, there was a deliberate 'disappearance' of voting cards arranged by some candidates who sought to prevent their rivals winning votes.<sup>(53)</sup>

Finally, only 30 per cent of the Palestinians voted in the 1993 election, which resulted in only 14 deputies out of the 80 elected being of Palestinian origin. Eleven of them were from the Islamic Action Front. The low level of Palestinian participation in Jordanian politics was attributable to a number of factors. Among these were general political alienation, and the unrepresentative constituency boundaries which were perceived to favour East Bankers.<sup>(54)</sup>



### 8.3. The 1993 Elections Result

On November 8, 1993, 822,306 Jordanians cast their votes at the 2,906 polling stations throughout the Kingdom's 20 electoral districts. Of the 80 candidates in the 1989 Chamber of Deputies, only 26 were re-elected to office, while 34 previous deputies failed in their attempt. The remaining 20 did not stand for re-election.

The results of the election, which were announced by the Minister of the Interior at a news conference on November 9, 1993, revealed an overwhelming victory of a pro-government forces. Table 8.5 Shows the electoral constituencies, the winners and the latter affiliation.

**Table 8.5: Electoral Districts, Winners and Political Affiliations**

Constituencies	Deputies winners	No. of Votes	Political Affiliation
Amman (1)	Abd al-Aziz Jabr	8,002	IAF
	Hammad Abu Jamus	4,078	Future Party
	Dhib Abdullah	3,469	Ind. Islam
Amman (2)	Abd al-Mun'im Abu Zanat	9,336	IAF
	Hamzah Mansur	8,880	IAF
	Muhammad Dhuwaib	5,257	Homeland Party
Amman (3)	Ibrahim al-Kilani	9,134	IAF
	Tahir al-Masri	8,789	Centrist
	Ali Abu Raghieb	8,162	Centrist
	Khalil Haddadin (Christian)	1,582	JBASP
	Tujan Faisal (Circassian)	1,885	Nationalist
Amman (4)	Anwar al-Hadid	6,329	Centrist
	Muhammad al-Hunaiti	6,310	Centrist
Amman (5)	Hammam Sa'id	3,690	IAF
	Khalid al-Ajarmah	3,308	Centrist
	Abd Musa al-Bakhit	3,237	Centrist
	Muflih al-Lawzi	2,963	Centrist
	Munir Subar (Circassian)	2,302	Centrist
Amman (6)	Abd al-Hafiz al-Shakhanbah	3,823	Nationalist
	Abd al-Majid al-Aqtash	3,626	Ind. Islam
	Samih al-Farah (Christian)	1,969	JNA

Balqa	Ali al-Shatti	5,354	Centrist
	Muhammad 'Uwaidah	4,788	IAF
	Mustafa Shnaikat	4,770	JDSP
	Ibrahim Shihdah	4,714	Centrist
	Hashim al-Dabbas	3,107	Centrist
	Abdullah al-Nsur	3,050	Centrist
	Samir Qawar (Christian)	2,621	Centrist
	Fawzi Tuaimah (Christian)	2,038	Centrist
Karak	Abd al-Hadi al-Majali	3,871	Pledge Party
	Mahmud Hwaimil	3,791	Ind. Islam
	Mansur Bin Tarif	2,988	Centrist
	Ahmad al-Kasasbah	2,892	IAF
	Jamal al-Hushush	2,721	Nationalist
	Samir Habashnah	2,616	JADP
	Jamal al-Sarayrah	2,440	Ind. Islam
	Nazih Ammarin (Christian)	1,073	Centrist
	Hani Hijazin (Christian)	1,024	Nationalist
Tafileh	Muhammad Dawudiyyah	2,568	Nationalist
	Abdullah al-Akaylah	2,398	IAF
	Ratib al-Sa'ud	1,931	Pledge Party
Ma'an	Awad Khlaifat	3,988	Centrist
	Abd al-Karim al-Kabariti	3,418	Centrist
	Tawfiq Kraishan	3,190	Centrist
	Taha al-Hababab	3,137	Centrist
	Badr al-Riyati	2,436	IAF
Zarqa	Bassam al-'Umush	9,316	IAF
	Muhammad al-Hajj	8,970	IAF
	Dhib Anis	7,090	IAF
	Fayyad Jarrar	4,512	Homeland Party
	Bassam Haddadin	1,840	Hashd
	(Christian)	1,235	Ind. Islam
	Abd al-Baqi Jammu (Chechen)		
Ma'raq	Abd al-Karim al-Dughmi	3,672	Nationalist
	Abdullah Akhu Irshaidah	3,186	Centrist
	Muhammad Abu 'Ulaim	2,644	Centrist

Irbid	Ahmad al-Kufahi	4,260	IAF
	Abd al-Majid al-Azzam	4,248	Centrist
	Salih Shi'watah	4,221	Centrist
	Abd al-Ra'uf Rawabdah	4,175	Awakening Party
	Arif al-Batainah	3,741	Centrist
	Salih Irshaidat	3,686	Centrist
	Abd al-Razzaq Tubaishat	3,382	Centrist
	Abd al-Rahim al-'Ukur	3,168	IAF
	Nadir Abu al-Sha'ar (Christian)	2,227	Centrist
Ajloun	Ahmad al-Qudah	3,128	Centrist
	Daif Allah al-Mumini	2,761	IAF
	Farah al-Rabadi (Christian)	850	Centrist
Jerash	Muflih al-Ruhaimi	4,893	Pledge Party
	Sulaiman al-Sa'ad	3,513	IAF
Ramtha & Bani Kinanah	Fawaz al-Zu'bi	5,544	Centrist
	Talal 'Ubaidat	4,671	Centrist
	Ibrahim Samarah	4,297	Awakening Party
Koura and North Ghor	Hatim al-Ghizawi	5,151	Centrist
	Nadir Zuhairat	3,811	Centrist
North Bedouin	Sa'ad al-Surur	6,582	Centrist
	Nawwaf al-Qadi	5,039	JNA
Central Bedouin	Jamal al-Khraishah	3,263	JNA
	Muhammad al-Zaban	2,200	Centrist
South Bedouin	Salim Furaj al-Zawaidah	3,717	Centrist
	Muhammad Nijadat	2,453	JNA

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**Sources:** *Jordan Times*, November 9-11, 1993

IAF: Islamic Action Front Party

Ind. Islam: Independent Islamist

JNA: Jordan National Alliance

Hashd: Jordanian people's Democratic Party

JADP: Jordanian Arab Democratic Party

JBASP: Jordanian Ba'th Arab socialist Party

JDSP: Jordanian Democratic Socialist Party

According to table 8.5, the members-elect secured a total of 320,501 votes. The highest number of winning votes was obtained by conservative and traditionalist (Centrist)

forces with 188,805 votes, representing 59 per cent of the total votes cast for winning candidates. The successful Islamist candidates polled 105,195 votes representing 33 per cent of the total votes cast for winning candidates. The winning leftist and pan-Arab Nationalist candidates polled 26,501 votes representing 8 per cent of the total votes cast for winning candidates.

Although conservative and traditionalist candidates won the greatest percentage of winning votes, the largest number of votes for individuals was gained by Islamist candidates in the large urban constituencies. The largest number of votes was obtained by Abd al-Mun'im Abu Zanat, who scored 9,336 votes in Amman second constituency as against the 19,343 votes he gained in the 1989 elections, followed by Bassam al-'Umush with 9,316 in Zarqa constituency, Ibrahim al-Kilani with 9,134 from Amman Third constituency, Muhammad al-Hajj with 8,970 in Zarqa constituency, and Hamzah Mansur with 8880 in Amman Second constituency. These winners were all members of the Islamic Action Front (IAF). The highest votes for non-Islamists were for Tahir al-Masri and Ali Abu Raghib, both conservative candidates scoring 8,789 and 8,162 respectively. Mustafa Shnaikat, a member of the Jordanian Democratic Socialist Party, polled the highest number of votes among leftist and nationalist candidates, with 4,770 votes.

Tujan Faisal a minority Circassian candidate won with 1885 votes in the Amman third constituency. This was the first election of a woman to the Chamber of Deputies in the history of Jordan. The victory of Tujan Faisal marked a milestone in the political life of the Kingdom. It should be noted that she had run for election in 1989 but was not successful. Faisal projected herself not predominantly as a women's candidate but as an independent, thus managing to gain the confidence of both liberal women and men. She saw the need to work towards the institutionalisation of democracy through progressive legislation. Her concerns were for human rights and justice.<sup>(55)</sup>

The position of the minority candidates was highlighted in Ajloun constituency where Farah al-Rabadi, a Christian candidate, polled the lowest vote for a winning candidate with 850 votes. Ahmad Annab, from the same constituency, who had won the 1989 election with 5,280 votes, was now unsuccessful with 2,573 votes.

The result of the election showed a significant change among political grouping from 1989, with pro-government deputies increasing from 33 to 49, whilst the Islamists fell from 34 to 21 seats, leftist and pan-Arab nationalist also fell from 13 to 10 seats. The outcome was a conservative pro-government majority, with the opposition led by the IAF being considerably reduced.

The reduced strength of the Islamist trend in the 12th parliament could be attributed to four factors. First, the reduction was due to the implementation of the one-person, one-vote formula which altered the voting intentions of the public. Second, was the general desire among Jordanian voters to elect deputies who were known for their connections with the government, in the hope they could provide them with improved local services. Third, more than one (sometimes five) Islamist candidates came forward in some constituencies, such as Balqa, Karak, Ma'an, Koura, North Ghor, and Madaba, which resulted in a splitting of their votes, and thus weakened their chances of being elected. For example, the IAF had officially nominated three candidates in Balqa constituency, Muhammad 'Uwaidah from the Baqa'a camp, Abd al-Latif Arabiyyat (a former Chamber of Deputies Speaker), and Nayil Massalha. However, Ibrahim Khraysat (a former Muslim Brotherhood spokesman) and Abdullah Riyalat, an independent Islamist, also insisted on contesting the election. This led to outright competition between the Islamist candidates and hurt Arabiyyat's chance in the election. All of them failed with the exception of Mr. 'Uwaidah. Fourth, there were internal divisions and power struggles within the IAF itself.<sup>(56)</sup>

### **8.3.1. Official Reaction to the Election Results**

The election result was described by official government sources as free and fair, indicating the success of Jordanian political pluralism. Salamah Hammad, the Interior Minister, said at the end of the election day, that the election had gone smoothly and in an orderly fashion.<sup>(57)</sup>

The King's reactions to the election results were presented in a news conference held on November 9, 1993. He welcomed the results as evidence of the strength of democracy, pluralism and rights in the Kingdom, stating:

We are committed to democracy, to pluralism, to respect for human rights and to making our country an example, hopefully to others, near and far, respecting our constitution and the great achievement of formulating a National Charter ... through the contributions of every school of political thought in the country.<sup>(58)</sup>

The election results also gave support to King Hussein's efforts to further the peace process. He was clearly convinced from the outcome of the elections that the peace process should continue under the new parliament. The King stated that, "The peace process started with the last parliament and will continue with this parliament, here in a democratic country, and we will cooperate to achieve the best result".<sup>(59)</sup>

Looking to the future, the King envisaged an expanding role for the political parties. He hoped that the number of parties would be reduced over the next few years and, interestingly, predicted that parties would offer suitable programmes to the voters. He declared that:

[concerning] the political scene, in term of parties ... I do not think or believe that we have reached our goal as yet. We may reach it in four years, we may reach it in eight years ... inevitably political parties will be given the same chances with passage of time to express themselves more coherently and the numbers, I am sure, will dwindle from 20 to far less with programmes that can convince people, then we are looking at a different scene.<sup>(60)</sup>

Furthermore, he stressed that this first multi-party election for nearly four decades would consolidate the democratisation process, reflecting the irreversible course of democracy that Jordan had adopted. The King also expressed his confidence that Jordan was following the right path. He added, "we are on the road to more democracy, more freedom and more respect for human rights".<sup>(61)</sup>

The King welcomed the success of a woman in the election, by stating that; "[This is a] very, very important step in public life at this level". He added, "I don't see why in the future there could not be more of the same... I hope that as a pioneer she will do whatever she can to ensure that this is the beginning of a road that will be followed by others in the future".<sup>(62)</sup>

Overall, the King's speech highlighted his acceptance of the democratisation process to date. His statements on the future course of Jordanian politics indicated a support for greater democratisation.

### **8.3.2. The Political Trend Reflected in the Elections**

The elections resulted in an overwhelming victory for the pro-government traditionalist and conservative forces.(see table 8.5). The majority of those elected had been able to secure the backing of their family and tribal allies.

The Islamist deputies who had achieved 42.5 per cent of the total seats in the 1989 election, won only 21 seats in the 1993 election and were down to 26 per cent. The Islamic Action Front fielded 36 candidates but only won 16 seats, representing 20 per cent of the total seats, and out of the 15 independent Islamic candidates who stood in the election, only 5 were elected. Two of the independent Islamist members-elect, Dhib Abdullah and Abd al-Majid al-Aqtash were likely to support the political and socio-economic programme of the IAF. The other three Islamist independents, Abd al-Baqi Jammu, Jamal Sarairah, and Mahmud Hwaimil were likely to support the IAF only on

social issues.<sup>(63)</sup> Both the former Islamist Speaker of the Chamber of Deputies Abd al-Latif Arabiyyat and the former Muslim Brotherhood spokesman Ibrahim Khraysat failed to be re-elected. Despite their lack of success compared with 1989, the Islamic Action Front was still the largest party in the Chamber of Deputies. Ishaq al-Farhan, IAF Secretary General, declared that “the decrease in seats for the IAF was not a setback, as the total votes obtained by the IAF were more than in the 1989 election”.<sup>(64)</sup>

The leftists and pan-Arab nationalists were represented by 10 deputies. Three were party representatives: Mustafa Shnaikat of the Jordan Democratic Socialist Party, Bassam Haddadin of the Jordan People's Democratic party, and Khalil Haddadin of the Jordanian Ba'thist party. The remaining seven were independents. Previously they had held 13 seats in parliament representing 16.2 per cent of the total seats. This fell to 12.5 per cent of the total seats.

The remaining forty-nine seats were won by centrist (conservative and traditionalist) forces representing 61.2 per cent of the total seats, an increase from the 33 seats in the 1989 elections which had represented 42.5 per cent of the total. The elected members included former government officials, rural community and tribal leaders. The election results thus changed the balance of power in the Jordanian parliament and severely weakened the influence of the Islamic bloc. Table 8.6 shows the political forces in the Chamber of Deputies following the 1993 election.

**Table 8.6: Political Forces in the 1993 Jordanian Parliament**

Affiliation	No. of Seats
Islamist	21
Leftist and Pan-Arab Nationalist	10
Conservative and Traditionalist	49
Total	80

**Source:** *Jordan Times*, November 9-11, 1993.



### **8.3.3. Political Parties Showing in the 1993 Election**

Overall, political parties showed limited success in the election, winning only 32 of the 80 seats contested. Many political parties neither nominated candidates, prepared an electoral slate nor drew up a political programme. However, they instead supported party members, who were running as independents, for two reasons. Firstly, they were still young and consequently faced many internal conflicts, and furthermore their programmes were vague and generally unknown to the electorate. Secondly, the voters had a lingering distrust of political parties. Therefore, twelve parties decided to nominate their candidates as independents, depending on their social, tribal, or previous official job positions to gain votes. Indeed two of the registered parties did not even nominate affiliated candidates. These were the Popular Unity Party and the Unionist Arab Democratic Party.

The political parties had fielded 87 out of the 534 candidates. Fifty-two of these contested the elections as official party representatives, while the remaining 35 contested the polls as independent candidates with party affiliation.<sup>(65)</sup> It should be noted that the secretary generals of eight parties were among the candidates. Three of them ran as official political party candidates: Dr. Ya'qub Zayadin for The Jordanian Communist Party, Azmi Al-Khawaja for the Jordanian Democratic Popular Unity Party (Unity), and 'Isa Mdanat for the Jordanian Democratic Socialist Party. However, none of these were elected. Significantly, the other five candidates contested the elections independently believing they would attract stronger support due to their previous official post in the government without the ideological baggage of a party, in what was effectively only an emerging democratic country. These included Yusif Abu Bakir for the Arab Islamic Democratic Party (Du'aa), Muhammad Al-Awran for the Jordanian Arab Democratic Party, Abd al-Khaliq Shatat for the Jordanian Arab Popular Party, Abd al-Hadi Al-Majali for the Al-Ahad Party (Pledge), and Abd al-Ra'uf Al-Rawabdah for the Yakatha Party (Reawakening). The first three did not succeed, whereas the

other two won seats in parliament.<sup>(66)</sup> Table 8.7 shows the political parties which returned in the 1993 elections.

**Table 8.7: Party Returns of Jordan's 1993 Parliamentary Elections:**

Political Parties	Candidates	Winners	Political Affiliation
Islamic Action Front*	36	16	Islamist
Jordan Arab Ba'th Socialist Party*	4	1	Nationalists
Jordanian People Democratic Party*	3	1	Leftist
Jordanian Democratic Socialist Party*	3	1	Leftist
Jordanian Communist Party*	3	0	Leftist
Jordanian Democratic Popular Unity Party*	3	0	Leftist
Freedom Party	1	0	Leftist
Jordan Arab Popular Party	1	0	Pan-Arabist
Jordanian Arab Ba'th Progressive Party	1	0	Pan-Arabist
Jordanian Arab Democratic Party	3	1	Centrist
Arab Islamic Democratic Party	2	0	Islamist
Jordanian Democratic Progress Party	1	0	Leftist
The Progress and Justice Party	1	0	Centrist
Jordan National Alliance Party	8	4	Centrist
Jordanian Pledge Party	7	3	Centrist
The Reawakening Party	4	2	Centrist
The Future Party	4	1	Centrist
The Homeland Party	2	2	Centrist
Total	87	32	

**Source:** Jordan's 1993 Election, Al-Urdun Al-Jadid Research Centre, [New Jordan], November, 1993, pp. 28-30.

\* These parties nominated their candidates for the election.

The largest party representation in the Chamber of Deputies following the 1993 elections was the Islamic Action Front with 16 deputies. This was followed by the Jordanian National Alliance Party with 4 seats, the Pledge Party with 3 seats, the Reawakening Party and the Homeland Party with 2 seats, and a single seat for each of the Jordanian Arab Democratic Party and the Future Party making a total of 13 seats for conservative and traditionalist parties.

The third type of party, represented by leftist and pan-Arab nationalist parties included the deputies of the Jordanian People's Democratic Party (HASHD), the Democratic Socialists Party, and the Arab Ba'th Socialists Party, which were represented by one deputy each. The achievement of political parties in the election was limited, and reflected their strength in Jordanian society. The majority of voters voted for candidates considered capable of providing services and addressing the infrastructural needs of their constituencies rather than those standing for national platforms.

## **Conclusion**

The four year period between the country's two elections witnessed major watersheds in Arab politics: the Iraqi invasion of Kuwait, the US-led war against Iraq, the convening of the Madrid peace conference, the signing of the PLO-Israel Accord, and the political liberalisation in Jordan which gave civil society a larger role in the state, with the advent of formal political parties. The result of the election saw an overwhelming victory for the conservative and traditionalist forces. The election underscored the predominance of non-ideological tribalism over political ideologies.

In the run up to the first multi-party election since 1956, a number of undemocratic moves were taken, such as the dissolution of parliament and the changes in the electoral law, and saw the introduction of a one-person, one-vote formula which had three effects on the election. These were firstly, the reduced number of candidates, secondly, the removal of informal coalitions which had dominated the 1989 election, and thirdly, the reinforcement of tribal/family affiliation rather than the encouragement of political ideologies, thus reducing the chances of success of the opposition forces, in particular the IAF.

Despite the influence of the changed electoral law, this was the first multi-party election in Jordan since 1956. The Islamist and leftist participation in the electoral process gave

credibility to the political system in the country, enabling a significant step to be taken through the multi-party elections, towards political liberalisation in Jordan. The election also resulted in an important watershed in the role of women in Jordanian politics, with the first woman elected to parliament.

The presence of political parties in the 1993 election was less significant than anticipated for a number of reasons. These were the absence of a political programme, a structurally weak system, and new parties mostly unfamiliar to the public. However, their participation in political life formed an important stepping stone on the road to political pluralism in Jordan.

## FOOTNOTES

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2. Jordan Media Group, "Jordan's Parliamentary Elections", 8 November, 1993, p. 10.
3. Ibid.
4. Ibid., p. 11.
5. Al-Taqrir al-Sanawi li'am 1991 [Annual Report], Ministry of Labour, 1991. p. 18.
6. Jordan Times, November 6, 1993
7. Al-Kitab al-Ibiad: Al-Urdun wa Izmat al-Khalij [White Paper, Jordan and the Gulf Crisis], Government of the Hashemite Kingdom of Jordan, August 1990-March 1991, 1991, p. 19.
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9. King Hussein's Letter of Appointment to the new Prime Minister, Abd al-Salam al-Majali, 29 May, 1993.
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## **Chapter Nine**

### **Conclusion**

This research has analysed the process of political liberalisation in Jordan, in particular by examining parliament's role in the transition towards democracy in Jordan.

Democracy has been much discussed since the concept was first used in conjunction with the Greek city states. Its importance has grown throughout the 20th century with both the decline of colonialism and the collapse of communism. In its 1995 survey, Freedom House identified 114 (out of a total 192 countries as democracies - a figure higher than at any other time in history.<sup>(1)</sup> Of these democracies, Huntington classified 37 (or one-third) as only "partly free", due to their restriction of basic political liberties and human rights.<sup>(2)</sup>

Since its establishment in 1921, the Jordanian monarchy has attempted to effect and maintain a framework of legitimacy through a constitutional parliamentary system of government. The gradual process of democratisation peaked in 1956 following the promulgation of the 1952 Constitution, the licensing of political parties under the 1955 Parties Law, and the 1956 election which saw the establishment of the first (and only) openly pro-Arab unity cabinet led by the leader of the opposition party (the National-Socialist Party), Sulaiman al-Nabulsi.

From 1956 a series of internal and external crises influenced the political and parliamentary situation in the country. These included attempted military coups by some sections of the army; the challenge by the Arab Nationalism of Nasir and Syria and their supporters; the loss of the West Bank to Israel in the 1967 war; and the PLO being recognised as the legitimate representative of the Palestinian people at the Rabat Conference in 1974. These crises led to the banning of political parties in 1957;



frequent dissolution of the Chamber of Deputies by the cabinet between 1957 and 1974; the absence of a general election from 1967 to 1989 (although by-elections were held in 1984) and the prorogation of the Chamber of Deputies from 1974 to 1984.

Several factors sparked off the political liberalisation process which began in Jordan in 1989. These were the disengagement from the West Bank in 1988 and the recognition of the Palestinian identity in the area; the severe economic crises which resulted in the imposition of IMF austerity measures; and nation-wide popular disturbances. The riots were the culmination of a number of problems including lack of political freedom, price hikes, modernisation of society and popular desire for participation in the political process. As a result, the Jordanian government was forced into a position of trying to strike a delicate balance between conforming to the terms of the IMF agreement on the one hand, and satisfying an increasingly critical public opinion on the other.

The 1989 general election was deemed by both internal and external observers to have been fair and honest, despite it having taken place before the issuance of the law allowing political parties. Although political parties were not yet legal, the election confirmed the existence of political pluralism in the country, with candidates of all political affiliations standing individually for election. Despite some confusion over candidates' positions, it was generally understood that this was simply the first step in a transitional process and that it was only a matter of time before political parties with their own identities would be permitted and legalised. The 1989 election still left certain matters to be desired, but more important was the fact that the process of democratisation had taken hold in Jordan, and further political reforms were inevitable.

The 1989 elections marked the real beginning of the Jordanian democratisation experiment. The significance of the elections was fivefold:

1. The elections took place at a time of rapid change in the world.
2. These were the first general elections in over twenty-two years.

3. The elections were fair and free.
4. All political forces participated.
5. Credibility was assigned to the political process through the success of Islamists and other figures in opposition.

These elections, which constituted a significant transition towards democracy, were the culmination of Jordan's internal drama and were aimed at fulfilling three main objectives. The first was to broaden the process of democracy, the second aimed to confirm that Jordan had relinquished any claim to the West Bank, and the final objective addressed public grievances in order to gain public's support.

Following the 1989 election, parliament became the centre of political development. A number of further steps on the road to democracy followed, including the endorsement of the National Charter in 1991; the abolition of both martial law and the anti-Communist law; the adoption of the 1992 Political Parties Law which resulted in the establishment of twenty parties; and the promulgation of the 1993 Press and Publication Law allowing the media greater legal protection from government repression.

In the period up to 1993, the Chamber of Deputies endorsed 130 laws, and submitted 12 interpellations and 396 questions to the government, most of which were acted upon. It also discussed in depth the budget laws for each of the years 1990-1993. During this period, parliament constituted the main element in national dialogue and its achievement in changing the course of government policy boosted the chances for the successful adoption of the process of political liberalisation.

The central element in the new state-society relationship supporting the process of liberalisation was a new social contract, the National Charter. The role of civil society was enhanced by the 1989 election, as was the process of political liberalisation which followed. Civil society gained political ground after the state incorporated the

principles of pluralism, tolerance, and civil duty into the National Charter as bases for interaction in Jordanian society and politics. This resulted in greater respect for human rights; freedom of expression; the development of political satire and criticism; greater freedom to hold conferences, lectures, panel discussions, and meetings on a variety of political topics; and the emergence of political parties and pluralism.

This created the first opportunity since the 1957 ban for parties to operate both legally and openly in terms of their political activities. From 1957, trade unions and professional associations had attempted to fill the role of political parties, despite being heavily constrained by legislation. The Political Parties Law therefore enabled a de-politicisation of the trade unions and professional associations by formally re-introducing political parties into the country.

In the period before the 1993 elections, the Iraqi invasion of Kuwait adversely affected the Jordanian economy. The economic crisis had the potential to cause a major political crisis which would have destabilised the Jordanian regime and challenged the democratic process. Despite such turmoil, the crisis resulted in improved political co-operation between parliament and the leadership, promoting greater national unity.

Other major pre-election watersheds in Arab politics occurred with the US-led war against Iraq, the convening of the Madrid Peace Conference, and the signing of the PLO-Israel accord. Domestically, there were three significant events which occurred in the same period. Firstly, the electoral law was changed to one-person, one-vote formula, which led to a reduced number of candidates; the removal of formal coalitions which had dominated the 1989 elections; and a reinforcement of tribal and family affiliations rather than encouragement of political ideologies. Secondly, the Ministry of the Interior's attempt to prevent political parties from holding rallies on public property was quickly overturned by the High Court of Justice. Finally, the most serious

challenge was speculation over possible delay in the holding of the elections after the PLO-Israel Accord was signed in mid-September.

Despite these occurrences, the run up to the 1993 elections illustrates the strength of the process of liberalisation in Jordan, during which there was broad discussion in the press about such concerns as the one-person, one-vote formula. This, together with the High Court decision on political rallies, must be seen as a positive sign that the right to freedom of expression was being exercised by the public and respected by the state. The decision to hold the elections on the originally scheduled date is also a positive indicator of the institutionalisation of the political process in the Kingdom.

The 1993 elections represent a significant development in Jordanian politics. Four factors account for this significance. The first is the new legal environment in which the elections were held. The second relates to the way the democratic experiment transformed campaigning and political behaviour. The third is the fact that they were the first multi-party elections to be held since the start of the democratisation process in 1989. The fourth factor concerns the election of the first woman to parliament in Jordan since they were first granted the right to vote in 1974.

Today Jordan has emerged as the most democratically open country in the Arab world, in the sense that all political groups and tendencies, including the Islamists, can participate in the political process. The only significant setback in the democratisation process was the change in the electoral law in the absence of parliament, in an effort to reduce the power of oppositional forces. Overall, the Jordanian case can be characterised as democracy without a full transfer of power. The present predicament of political parties is that they are socially relatively weak. Within the parliamentary system, the parties seek to encourage more stable and broad-based decision-making procedures. Despite these obstacles, the country has borne witness to its first multi-

party election in Jordan since 1956 as well as the participation of all political forces in the political process.

The lessons learnt from this study of the path from an undemocratic regime to democracy in Jordan are discussed next. In the theoretical discussion, a number of concepts were proposed. First, Rustow's four stage analysis of the evolution of democracy has not been proved in the study as there has been no second stage or "hot family feud", although the third stage, "the decision phase", describes the situation in Jordan at present.

Second, O'Donnell and Schmitter's analysis states that the process of democratisation is initiated by a split between hard liners and soft liners. However, in the case of Jordan, the position of the Hashemite monarchy, built on the foundations of Amir Abdullah's rule and re-inforced following the 1957 crackdown by King Hussein, has enabled the King to control the political process. Thus, the process was not initiated by a split in the ruling coalition, but resulted from the flexibility of the King in responding to internal and external events. This is shown by the process in which the 1993 electoral law was invoked and the decision to hold elections on the originally scheduled date. It also demonstrates that the continuation of the process of liberalisation and further development of civil society remain dependent upon the will of the monarch.

Third, although no evidence can be found for a split in the ruling elite, O'Donnell and Schmitter's argument that the parameters of the process of liberalisation are defined by 'the calculation' and 'the pact', are supported in the case of Jordan. The King has managed democratisation through a series of calculated moves. An unwritten pact seems to exist between the monarchy and the Islamists, resulting in what could be described as the major potential opposition following the rules of the liberalisation process.

Fourth, authors such as Almond and Verba emphasise the primary importance of political culture in shaping democracy, which would include factors such as education. Since this is regarded as an important element in political participation, the high level of education in Jordan should be recognised as contributing to the country's democratisation process. Fifth, Huntington argues that economic change can promote the establishment of democracy. This has been made evident in this study where the economic downturn at the end of the 1980s was highlighted as one of the factors which helped launch the process of political liberalisation.

Sixth, in relation to Huntington's three paradoxes of democracy, the case of Jordan supports the thesis that increasing democracy has led to political appeals to the tribal aspects of Jordanian society. This was highlighted in the 1993 elections when voting was along tribal rather than ideological lines. However, although Huntington argues that the rise in tribalism can lead to conflict, in the case of Jordan the structure of the relationship between the monarchy and the tribes, and also between the tribes themselves is unlikely to result in this scenario.

Seventh, Przeworski and others stress the significance of political institutions. Political institutionalisation is encouraged by the creation of sound parliamentary processes. In Jordan, parliament represents to the public a means to monitor the performance, corruption and mistakes of the government. The relationship between parliament and government has taken the form of a balance between the two authorities, and this has helped to achieve political stability in the country.

Eight, the conclusion of Milton-Edwards that a facade democracy exists in Jordan can not be substantiated by the evidence of this study. Whilst democracy in Jordan has not yet attained the full liberal democracy practised by western countries, in that the King still maintains considerable power, the institutionalisation of democratic practices has evolved relatively quickly over a short space of time. To use the phrase 'facade

democracy' gives a misleading picture because it implies a static rather than changing situation. Jordan is in a phase of democratic development which can be termed partial democracy, not a facade democracy. Partial democracy emphasises the passage from authoritarian rule to institutionalised democracy. Whilst it may take time to reach this stage, the process of democratic transition in Jordan will - the researcher believes - lead to institutionalised democracy.

The transition to democracy in Jordan was facilitated by the combination of five major factors. Socio-economic factors first provided Jordan with the literacy, urbanisation, and civic expectations necessary to preparing its citizens for democracy. Second, the 1989 riots provided immediate motivation for political participation among the masses. The third factor supports Rustow's theory that national unity constitutes the basis for the transition to democracy. Thus, Jordanian national unity became consolidated in a form acceptable to nearly all political players. Fourth, the country has a moderate Islamic movement which is unlikely to threaten democracy in the manner assumed by Huntington's "three types of threat to democracy" as it is willing to work within the political process. Lastly, a politically moderate King has managed to survive at a low repressive cost. These factors support Huntington's theory that no one factor can be responsible for the transition to democracy.

As a whole, the study has highlighted the importance of the desire of the Jordanian Monarchy to establish political institutions from the outset of its rule. Although the attempts made were relatively unsuccessful in creating a coherent democratic system, they laid the basis for the success of the post-1989 liberalisation of the political system.

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## **APPENDICES**

## **1. The Constitution Of the Hashemite Kingdom of Jordan**

### **CHAPTER ONE: The State and System of Government**

- Article 1. The Hashemite Kingdom of Jordan is an independent sovereign Arab State. It is indivisible and inalienable and no part of it may be ceded. The people of Jordan form a part of the Arab Nation, and its system of government is parliamentary with a hereditary monarchy.
- Article 2. Islam is the religion of the State and Arabic is its official language.
- Article 3. The city of Amman is the capital of the Kingdom, but it may be transferred to another place by a special law.
- Article 4. The Jordanian flag shall be of the following form and dimensions: "The length of the flag shall be twice its width. It shall be divided horizontally into three parallel and equal stripes, the uppermost of which shall be black, the centre, white, and the lowest, green. At the end of the flag-staff the flag shall have a red triangle, the base of which shall be equal to its width. In the triangle there shall be a white seven pointed star of such a size that it may be one-fourteenth part of its length. The star shall be so placed that its centre shall be at the intersection of the lines bisecting the angles of the triangle, and the axis running through one of its points shall be parallel to the base of the triangle".

### **CHAPTER TWO: Rights and Duties of Jordanians**

- Article 5. Jordanian Nationality shall be defined by law.
- Article 6. (i) Jordanians shall be equal before the law. There shall be no discrimination between them as regards their rights and duties on grounds of race, language or religion.
- (ii) The Government shall ensure work and education within the limits of its possibilities, and it shall ensure a state of tranquillity and equal opportunities to all Jordanians.
- Article 7. Personal freedom shall be guaranteed.
- Article 8. No person may be detained or imprisoned except in accordance with the provisions of the law.
- Article 9. (i) No Jordanian may be deported from the territory of the Kingdom.
- (ii) No Jordanian may be prevented from residing at any place, or be compelled to reside in any specified place, except in the circumstances prescribed by law.
- Article 10. Dwelling houses shall be inviolable and shall not be entered except in the circumstances and in the manner prescribed by law.
- Article 11. No properties of any person may be expropriated except for purposes of public utility and in consideration of a just compensation, as may be prescribed by law.
- Article 12. No loans may be forcibly imposed and no property, movable or immovable, may be confiscated except in accordance with the law.

- Article 13. Compulsory labour may not be imposed on any person, but any person may be required to do any work or to render any service in circumstances prescribed by law, as stated hereunder:
- (i) In a state of necessity, such as a state of war, the occurrence of a public danger, or fire, flood, famine, earthquake, serious epidemic among human beings or animals or animal diseases, insects or pests or any other similar events, or in any other circumstances which might endanger the safety of the population, in whole or in part.
  - (ii) As a result of the conviction of the person concerned by a court of law, provided that the work is done and the service rendered under the supervision of an official authority and provided further that no convicted person shall be hired to, or be placed at the disposal of, any persons, companies, societies or public bodies.
- Article 14. The State shall safeguard the free exercise of all forms for worship and religious rites in accordance with the customs observed in the Kingdom, unless such is inconsistent with public order or morality.
- Article 15. (i). The State shall guarantee freedom of opinion. Every Jordanian shall be free to express his opinion by speech, in writing, or by means of photographic representation and other forms of expression, provided that such does not violate the law.
- (ii). Freedom of the press and publications shall be ensured within the limits of the law.
  - (iii). Newspapers shall not be suspended from publication nor shall their permits be revoked except in accordance with the provisions of the law.
  - (iv). In the event of the declaration of martial law or a state of emergency, a limited censorship on newspapers, publications, books and broadcasts in matters affect public safety and national defence may be imposed by law.
  - (v). Control of the resources of newspaper shall regulated by law.
- Article 16. (i) Jordanians shall have the right to hold meetings within the limits of the law.
- (ii) Jordanians are entitled to establish societies and political parties provided that the objects of such societies and parties are lawful, their methods peaceful, and their bye-laws not contrary to the provisions of the Constitution.
  - (iii) The establishment of societies and political parties and the control of their resources shall be regulated by law.
- Article 17. Jordanians are entitled to address the public authorities on any personal matters affecting them, or on any matter relative to public affairs, in such a manner and under such conditions as may be prescribed by law.
- Article 18. All postal, telegraphic and telephonic communications shall be treated as secret and as such shall not be subject to censorship or suspension except in circumstances prescribed by law.
- Article 19. Congregations shall have the right to establish and maintain their own schools for the education of their own members provided that they comply with the general provisions of the law and be subject to the control of Government in matters relating to their curricula and orientation.

- Article 20. Elementary education shall be compulsory for Jordanians and free of charge in Government schools.
- Article 21. (i) Political refugees shall not be extradited on account of their political beliefs or for their defence of liberty.  
(ii) Extradition of ordinary criminals shall be regulated by international agreements and laws.
- Article 22. (i) Every Jordanian shall be entitled to be appointed to public offices under such conditions as are prescribed by law or regulations.  
(ii) Appointment to any government office or to any establishment attached to the Government, or to any municipal office, whether such appointment is permanent or temporary, shall be made on the basis of merit and qualifications.
- Article 23. (i). Work is the right of every citizen, and the State shall provide opportunities for work to all citizens by directing the national economy and raising its standards.  
(ii). The State shall protect labour and enact a legislation therefor based on the following principles:  
(a). Every worker shall receive wages commensurate with the quantity and quality of his work.  
(b). The number of hours of work per week shall be defined. Workers shall be given weekly and annual days of paid rest.  
(c). Special compensation shall be given to workers supporting families and on dismissal, illness, old age and emergencies arising out of the nature of their work.  
(d). Special conditions shall be made for the employment of women and juveniles.  
(e). Factories and workshops shall be subject to health safeguards.  
(f). Free trade unions may be formed within the limits of the law

### **CHAPTER THREE: Powers: General Provisions**

- Article 24. (i) The Nation is the source of all powers.  
(ii) The Nation shall exercise its powers in the manner prescribed by the present Constitution.
- Article 25. The Legislative Power shall be vested in the National Assembly and the King. The National Assembly shall consist of a Senate and a Chamber of Deputies.
- Article 26. The Executive Power shall be vested in the King, who shall exercise His powers through His Ministers in accordance with the provisions of the present Constitution.
- Article 27. The Judicial Power shall be exercised by the courts of law in their varying types and degrees. All judgements shall be given in accordance with the law and pronounced in the name of the King.



## **CHAPTER FOUR: The Executive Power**

### **PART I: The King and his Prerogatives**

- Article 28. The Throne of the Hashemite Kingdom of Jordan is hereditary to the dynasty of King Abdullah Ibn Al-Hussein in a direct line through his male heirs as provided hereinafter:
- (a) The Royal title shall pass from the holder of the Throne to his eldest son, and to the eldest son of that son and in linear succession by a similar process thereafter. Should the eldest son die before the Throne devolves upon him, his eldest son shall inherit the Throne despite the existence of brothers to the deceased son. The King may, however, select one of his brothers as heir apparent. In this event, title to the Throne shall pass to him from the holder of the Throne
  - (b) Should the person entitled to the Throne die without a male heir, the Throne shall pass to his eldest brother. In the event that the holder of the Throne has no brothers, the Throne shall pass to the eldest son of his eldest brother. Should his eldest brother have no son, the Throne shall pass to the eldest son of his other brothers according to their seniority in age
  - (c) In the absence of any brothers or nephews, the Throne shall pass to the uncles and their descendants, according to the order prescribed in paragraph (b) above.
  - (d) Should the last King die without any heir in the manner prescribed above, the Throne shall devolve upon the person whom the National Assembly shall select from amongst the descendants of the founder of the Arab Revolt, the late King Hussein Ibn Ali.
  - (e) No person shall ascend the Throne unless he is a Moslem, mentally sound and born by a legitimate wife and of Moslem parents.
  - (f) No person shall ascend the Throne who has been excluded from succession by a Royal Decree on the ground of unsuitability. Such exclusion shall not of itself include the descendants of such person. The Royal Decree of exclusion shall be countersigned by the Prime Minister and by four Ministers, at least two of whom shall be the Minister of Interior and the Minister of Justice.
  - (g) The King attains his majority upon the completion of his eighteenth year according to the lunar calendar. If the Throne devolves upon a person who is below this age, the powers of the King shall be exercised by a Regent or Council of Regency, who shall have been appointed by a Royal Decree by the reigning King. If the King dies without making such nomination, the Council of Ministers shall appoint the Regent or Council of Regency.
  - (h) Should the King become unable to exercise his powers on account of illness, his powers shall be exercised by a vicegerent or Council of Vicegerents. The Vicegerent or Council of Vicegerents shall be appointed by Royal Decree. Should the King be unable to make such appointment, such shall be made by the Council of Ministers.
  - (i) Should the King wish to leave the country, He shall, before his departure and by a Royal Decree, appoint a Vicegerent or a Council of

Vicegerents to exercise His powers during His absence. The Vicegerent or Council of Vicegerents shall observe any conditions which may be prescribed in the Royal Decree. If the absence of the King is extended to more than four months and the National Assembly is not in session, the Assembly shall be summoned immediately to consider the matter.

(j) Before the Regent or Vicegerent or any member of the Council of Regency or of the Council of Vicegerents assumes his office he shall take an oath, as prescribed in Article 29 hereof, before the Council of Ministers.

(k) In the event of the death of the Regent or Vicegerent or member of the Council of Regency or of the Council of Vicegerents, or should he become incapable of performing his duties, the Council of Ministers shall appoint a suitable person to replace him.

(l) A Regent or Vicegerent or member of the Council of Regency or of the Council of Vicegerents shall not be less than thirty years according to the lunar calendar. However, any male relative of the King who has completed his eighteenth year of age according to the lunar calendar may be appointed to any such office.

(m) In the event of the King being incapacitated by any mental illness, the Council of Ministers, on confirmation of his illness, shall immediately convene the National Assembly. Should the illness be definitely confirmed, the National Assembly shall by resolution depose the King, whereupon title to the Throne shall devolve upon the person entitled thereto after him according to the provisions of this Constitution. If the Chamber of Deputies stands dissolved at the time or if its term had expired and no new Chamber had been elected, the former Chamber of Deputies shall be convened for the purpose.

Article 29. The King shall upon his succession to the Throne take an oath before the National Assembly, which shall be convened under the chairmanship of the Speaker of the Senate, to respect and observe the Constitution and be loyal to the Nation.

Article 30. The King is the Head of the State and is immune from any liability and responsibility.

Article 31. The King ratifies the laws and promulgates them. He shall direct the enactment of such regulations as may be necessary for their implementation, provided that such regulations are not inconsistent with the provisions thereof.

Article 32. The King is the Supreme Commander of the Land, Naval and Air Forces.

Article 33. (i) The King declares war, concludes peace and treaties and agreements.  
(ii) Treaties and agreements which involve financial commitments to the Treasury or affect the public or private rights of Jordanians shall not be valid unless approved by the National Assembly. In no circumstances shall any secret terms contained in any treaty or agreement be contrary to their overt terms.

Article 34. (i) The King issues orders for the holding of elections to the Chamber of Deputies in accordance with the provisions of the law,  
(ii) The King convenes the National Assembly, inaugurates, adjourns, and prorogues it in accordance with the provisions of the Constitution.

- (iii) The King may dissolve the Chamber of Deputies.
- (iv) The King may dissolve the Senate or relieve any Senator of his membership.

Article 35. The King appoints the Prime Minister and may dismiss him or accept his resignation. He appoints the Ministers; He also dismisses them or accepts their resignation, upon the recommendation of the Prime Minister.

Article 36. The King appoints members of the Senate and appoints the Speaker from amongst them and accepts their resignation.

Article 37. (i) The King creates, confers and withdraws civil and military ranks, medals and honorific titles. He may delegate this authority to any other person by special law.

(ii) Currency shall be minted in the name of the King in pursuance of the law.

Article 38. The King has the right to grant a special pardon or remit any sentence, but any general pardon shall be determined by special law.

Article 39. No death sentence shall be executed except after confirmation by the King. Every such sentence shall be placed before the King by the Council of Ministers accompanied by their opinion thereon.

Article 40. The King shall exercise the powers vested in him by Royal Decree. Every such Decree shall be countersigned by the Prime Minister and the Minister or Ministers concerned. The King expresses his concurrence by placing His signature above the said signatures.

## **PART TWO: MINISTERS**

Article 41. The Council of Ministers shall consist of the Prime Minister, who shall be the President and of such number of Ministers as may be needed and as public interest may require.

Article 42. No person shall be appointed a Minister unless he is a Jordanian.

Article 43. The Prime Minister and Ministers shall, before assuming their duties, take the following oath before the King: "I swear by Almighty God to be loyal to the King, uphold the Constitution, serve the Nation and conscientiously perform the duties entrusted to me".

Article 44. No Minister may purchase or lease any Government property even if the sale or lease thereof has been offered in public auction. He shall not, while holding his Ministerial office, become a member of the board of directors of any company or take part in any commercial or financial transaction or receive a salary from any company.

Article 45. (i) The Council of Ministers shall be entrusted with the responsibility of administering all affairs of the State, internal and external, with the exception of such matters as are or may be entrusted by the present Constitution(\*\*) or by any other legislation to any other person or body.

(ii) The duties of the Prime Minister, the Ministers and the Council of Ministers shall be defined by regulations made by the Council of Ministers and ratified by the King.

Article 46. Any Minister may be entrusted with the responsibility of one or more Ministries, as may be stated in the Decree of appointment.

- Article 47. (i) Every Minister shall be responsible for the conduct of all matters pertaining to his Ministry. He shall refer to the Prime Minister any matter not falling within his competence.  
(ii) The Prime Minister shall dispose of all matters within his powers and competence and shall refer other matters to the Council of Ministers for such decision as may be necessary.
- Article 48. The Prime Minister and Ministers shall sign the decisions taken by the Council of Ministers, which shall be submitted to the King for ratification in all cases required under the present Constitution or any law or regulations enacted thereunder. Such decisions shall be implemented by the Prime Minister and Ministers, each within the limits of his competence.
- Article 49. Verbal or written orders of the King shall not release the Ministers from their responsibilities.
- Article 50. In the event of the resignation or dismissal of the Prime Minister from his office, all Ministers shall be considered as having automatically resigned or been dismissed from their offices.
- Article 51. The Prime Minister and Ministers shall be collectively responsible before the Chamber of Deputies in respect of the public policy of the State. In addition, each Minister shall be responsible before the Chamber of Deputies in respect of the affairs of his Ministry.
- Article 52. The Prime Minister, or the Minister who is a member of either the Chamber of Deputies or the Senate, shall be entitled to vote in the House to which he belongs and to speak in both Houses. However, Ministers who are not members of either House may speak in both Houses without the right to vote.
- Article 53. (I) A motion of no confidence in the Council of Ministers or in any Minister may be raised by the Chamber of Deputies.  
(ii) If the Chamber of Deputies casts a vote of no confidence in the Council of Ministers by an absolute majority of all its members, the Council of Ministers shall resign.  
(iii) If the vote of no confidence concerns an individual Minister, he shall resign his office.
- Article 54. (i) A session to consider a vote of no confidence in the Council of Ministers or in any individual Minister shall be held either at the request of the Prime Minister or at a request signed by not less than ten Deputies.  
(ii) A vote of no confidence in the Council of Ministers or in any individual Minister may be postponed only for one period, which shall not exceed ten days, either upon the request of the Minister concerned or of the Council of Ministers. The Chamber shall not be dissolved during this period.  
(iii) Every newly formed Council of Ministers shall within one month of its formation, in cases where the Chamber of deputies is in session, place before the Chamber of Deputies a statement of its policy and request a vote of confidence on the basis of the said statement. If the Chamber of Deputies is not in session at the time, or stands dissolved, the Speech from the Throne shall be considered to be a statement of its policy for the purposes of this Article.

- Article 55. Ministers shall be tried by a High Tribunal for offences which may be attributed to them in the course of the performance of their duties.
- Article 56. The Chamber of Deputies is entitled to impeach Ministers, but a bill of impeachment shall not be passed except by a majority of two-thirds of the members of the Chamber. The Chamber of Deputies shall appoint, from among its members, deputies who shall present the impeachment to, and proceed before, the High Tribunal.
- Article 57. The High Tribunal shall consist of the Speaker of the Senate as President and eight members.\* three of whom shall be selected by ballot by the Senate from amongst its members and five members to be selected from amongst the judges of the highest Civil Court in order of seniority. In case of necessity, the number shall be completed from the presidents of the lower courts, also in order of seniority.
- Article 58. The High Tribunal shall apply the provisions of the Penal Code in force in respect of offences specified therein. A special law shall specify the offences for which Ministers shall be responsible In cases where such offences are not covered by the Penal Code.
- Article 59. Judgements shall be given by the High Tribunal by a majority of six votes.
- Article 60. The High Tribunal shall make its own Rules of Procedure for the trial of Ministers, pending the enactment of a special law for this purpose.
- Article 61. A Minister who is impeached by the Chamber of Deputies shall be suspended from office until his case is determined by the High Tribunal. His resignation shall not prevent the institution of criminal proceedings against him, or the continuance of his trial.

## **CHAPTER FIVE: The Legislative Power**

### **The National Assembly**

- Article 62. The National Assembly shall consist of two Houses:  
**The Senate and the Chamber of Deputies.**

### **PART I: THE SENATE**

- Article 63. The Senate, including the Speaker, shall consist of not more than one-half of the number of the members of the Chamber of Deputies.
- Article 64. In addition to the requirements prescribed in Article 75 of the present Constitution, a Senator must have completed forty calendar years of age and must belong to one of the following classes: Present and former Prime Ministers and Ministers, persons who had previously held the office of Ambassador, Minister Plenipotentiary, Speaker of the Chamber of Deputies, President and judges of the Court of Cession and of the Civil and Shari Courts of Appeal, retired military officers of the rank of Lt. General and above, former Deputies who were elected at least twice as deputies, and other similar personalities who enjoy the confidence of

the people in view of the services rendered by them to the Nation and the Country.

- Article 65. (i) The term of office of Senators shall be four years. The appointment of members shall be renewed every four years. Senators whose term of office had expired may be reappointed for a further term.  
(ii) The term of office of the Speaker of the Senate shall be two years but he may be reappointed.
- Article 66. (i) The Senate shall meet simultaneously with the Chamber of Deputies and the sessions shall be the same for both Houses.  
(ii) If the Chamber of Deputies is dissolved, the sessions of the Senate shall be suspended.

## **PART II: THE CHAMBER OF DEPUTIES**

- Article 67. The Chamber of Deputies shall consist of members elected by secret ballot in a general direct election and in accordance with the provisions of an Electoral Law which shall ensure the following principles:  
(i) The integrity of the election.  
(ii) The right of candidates to supervise the process of election.  
(iii) The punishment of any person who may adversely influence the will of voters.
- Article 68. (i) The term of office of the Chamber of Deputies shall be four calendar years commencing from the date of the announcement of the results of the general elections in the Official Gazette. The King may, by a Royal Decree, Prolong the term of the Chamber for a period of not less than one year and not more than two years.  
(ii) A general election shall take place during the four months preceding the end of the term of the Chamber. If the election has not taken place by the end of the term of the Chamber or if such election is delayed for any reason, the Chamber shall remain in office until the election of a new Chamber.
- Article 69. (i) The Chamber of Deputies shall elect its Speaker at the beginning of each ordinary session for a period of one calendar year, but he may be re-elected.  
(ii) If the Chamber of Deputies meets in an extraordinary session and has no Speaker, the Chamber shall elect a Speaker for a term of office which shall terminate at the beginning of the ordinary session.
- Article 70. In addition to the requirements prescribed in Article 75 of the present Constitution, a deputy must have completed thirty calendar years of his age.
- Article 71. The Chamber of Deputies shall have the right to determine the validity of the election of its members. Any voter shall have the right to present a petition to the Secretariat of the Chamber within 15 days of the announcement of the results of the election in his constituency setting out the legal grounds for invalidating the election of any deputy. No election may be considered invalid unless it has been declared as such by a majority of two-thirds of the members of the Chamber.
- Article 72. Any deputy may resign his seat by notifying the Speaker of the Chamber of Deputies in writing, and the Speaker shall place the resignation before

the Chamber for a decision as to whether the resignation should be accepted or rejected.

- Article 73. (i) If the Chamber of Deputies is dissolved, a general election shall be held, and the new Chamber shall convene in an extraordinary session not later than four months from the date of dissolution. Such session shall be deemed to be an ordinary session in accordance with the provisions of Article 78 of the present Constitution and shall be subject to the conditions prescribed therein in respect of prolongation or adjournment.
- (ii) If no elections have taken place by the end of the four months, the dissolved Chamber shall assume its full constitutional powers and assemble forthwith as if its dissolution had not taken place. It shall remain in office until the election of a new Chamber.
- (iii) Such extraordinary session shall not in any event continue after the 30th day of September and shall be prorogued on that date so that the Chamber may be able to hold its first ordinary session on the first day of October. If such extraordinary session happens to be held during October and November, it shall be considered as the first ordinary session of the Chamber of Deputies.
- (iv) Notwithstanding the provisions of paragraphs (i) and (ii) of this Article, the King may postpone the holding of the general elections if a force majeure has occurred which the Council of Ministers considers as rendering the holding of elections impossible.
- (v) Should the force majeure provided for in paragraph (iv) hereof persist, the King may, upon a decision taken by the Council of Ministers, reinstate and convene the dissolved Chamber. Such Chamber shall be deemed as having been in existence in all respects from the date of the issue of the Royal Decree effecting its reinstatement. It shall exercise its full constitutional powers and be subject to the provisions of this Constitution, including those pertaining to the term of the Chamber and its dissolution. The session which it holds in such case shall be deemed to be its first ordinary session regardless of the date when it takes place.
- (vi) Should the Council of Ministers consider that the holding of general elections in at least one half of the constituencies is possible in spite of the persistence of the force majeure referred to in this Article, the King may order the holding of elections in such constituencies. The successful members shall elect not more than one half of the number of the members for the other constituencies in which it was impossible to hold elections, provided that they can hold a (valid) meeting only by a majority of three-quarters of their number, and provided also that the elections shall be by at least a two-thirds majority and shall be in accordance with the provisions and in the manner provided for in Article 88 of the Constitution.

The successful members and the members elected in accordance with this paragraph shall elect the remaining members for the said constituencies in accordance with the provisions of this paragraph.

- Article 74. If the Chamber of Deputies is dissolved for any reason, the new Chamber shall not be dissolved for the same reason. A Minister who intends to nominate himself for election shall resign fifteen days at least before the beginning of nomination.

## **PART II: Provisions Governing both Houses**

- Article 75. (i) No person shall become a Senator or Deputy:
- (a) Who is not a Jordanian.
  - (b) Who claims foreign nationality or protection.
  - (c) Who was adjudged bankrupt and has not been legally discharged.
  - (d) Who was interdicted and the Interdiction has not been removed.
  - (e) Who was sentenced to a term of imprisonment exceeding one year for a non-political offence and has not been pardoned.
  - (f) Who has a material interest in any contract, other than a contract or lease of land and property, with any Department of Government, provided that this provision shall not apply to any shareholder in a company of more than ten members.
  - (g) Who is insane or an imbecile.
  - (h) Who is related to the King within a degree of consanguinity to be prescribed by special law.
- (ii) Should any Senator or Deputy become disqualified during his term of office or should it appear after his election that he lacks one or more of the qualifications provided for in the preceding paragraph, his membership shall, by a resolution of two-thirds of the members of the House to which he belongs, be considered inexistent and vacant, provided that such a resolution, if passed by the Senate, is submitted to the King for ratification.
- Article 76. Subject to the provisions of Article 52 of the present Constitution. no person shall be allowed to be a member of either the Chamber of Deputies or the Senate and a holder of a public office at the same time. Public office means every office whose holder receives his salary from public funds; it includes municipal offices. Similarly, no person shall be allowed to be a member of both the Chamber of Deputies and the Senate.
- Article 77. Subject to the provisions of the present Constitution relating to the dissolution of the Chamber of Deputies, the National Assembly shall hold one ordinary session during each year of its term.
- Article 78. (i) The King shall summon the National Assembly to an ordinary session on the first day of October of each year or, if that day is an official holiday, on the first day following the official holiday, provided that the King may, by Royal Decree published in the Official Gazette, postpone for a period not exceeding two months the meeting of the Assembly to a date to be fixed by the Royal Decree.
- (ii) If the National Assembly is not summoned in accordance with the preceding paragraph, it shall meet of its own motion as if it was so summoned.
- (iii) The ordinary session of the National Assembly shall begin on the date upon which it was summoned to meet in accordance with the two preceding paragraphs, and shall last for four months unless the Chamber of Deputies is dissolved by the King before the expiration of that period. The session may be prolonged by the King for a further period not exceeding three months to allow for the despatch of pending matters. At



- the expiration of the four months or any such prolongation thereof, the King shall prorogue the Assembly.
- Article 79. The King shall inaugurate the ordinary session of the National Assembly by a Speech from the Throne addressed to a joint meeting of the Senate and the Chamber of Deputies. He may depute the Prime Minister or any of the Ministers to perform the inauguration ceremony and deliver the Speech from the Throne. Each of the two Houses shall submit a petition which shall contain its Reply thereto.
- Article 80. Every Senator, and Deputy shall, before taking his seat, take an oath before his House in the following terms: "I swear by Almighty God to be loyal to the King and to the Country and to uphold the Constitution, serve the Nation and duly perform the duties entrusted to me".
- Article 81. (i) The King may by Royal Decree adjourn the session of the National Assembly for not more than three times, or two times only if He had postponed the meeting of the National Assembly under paragraph (i) of Article (78), provided that during any one session the period of such postponement shall not exceed two months in the aggregate, including the period of postponement. In computing the term of the session, the periods covered by any such adjournment shall not be taken into account.
- (ii) The Senate and the Chamber of Deputies may adjourn their session from time to time in conformity with their own Internal Regulations.
- Article 82. (i) The King may whenever necessary summon the National Assembly to meet in an extraordinary session for an unspecified period for the purpose of deciding matters to be specified in the Royal Decree when the summons are issued. An extraordinary session shall be prorogued by a Royal Decree.
- (ii) The King may summon the National Assembly to meet in an extraordinary session at the request of an absolute majority of the deputies. Such request shall be contained in a petition specifying the matters which it is desired to discuss.
- (iii) The National Assembly shall not discuss in any extraordinary session except such matters as are specified in the Royal Decree convening the session.
- Article 83. The Senate and the Chamber of Deputies shall each make its Internal Regulations for the control and organisation of its own proceedings and shall submit such Orders to the King for ratification.
- Article 84. (i) No meeting of either House shall be considered duly constituted unless attended by two-thirds of the members of either House, and shall continue to be valid as long as an absolute majority of the members of either House is present.
- (ii) Resolutions by each of the two Houses shall be taken by a majority of votes of the members present, excluding the Speaker, who shall not vote except where it is otherwise provided in the present Constitution. In the case of equality of votes the Speaker shall have a casting vote.
- (iii) If the voting is related to the Constitution or to a motion of no confidence in the Council of Ministers or in a particular Minister, the votes shall be taken by calling the names of members in a loud voice.

- Article 85. The meetings of both the Senate and the Chamber of Deputies shall be public. Secret meetings may, however, be convened at the request of the Government or of five Senators or Deputies. If such a request is made, the Senate or Chamber of Deputies shall decide whether it should be accepted or rejected.
- Article 86. (i) No Senator or Deputy may be detained or tried during the currency of the sessions of the National Assembly unless the House to which he belongs decides by an absolute majority that there is sufficient reason for his detention or trial or unless he was arrested *flagrant delicto*. In the event of his arrest in this manner, the House to which he belongs, shall be notified immediately.
- (ii) If a member is detained for any reason while the National Assembly is not sitting, the Prime Minister shall notify the Senate or the Chamber of Deputies when it reassembles of the proceedings which were taken against him, coupled with the necessary explanation.
- Article 87. Every Senator or Deputy shall have complete freedom of speech and expression of opinion within the limits of the Internal Regulations of the Senate or Chamber of Deputies, as the case may be, and shall not be answerable in respect of any vote which he had cast or opinion expressed or speech made by him during the meetings of the House.
- Article 88. When a seat becomes vacant in the Senate or in the Chamber of Deputies by death or resignation or for any other reason, it shall be filled by appointment in the case of a Senator and by the holding of a by-election in the case of a deputy within a period of two months from the date on which the Government is notified of the vacancy by the House. The term of the new member shall be for the remaining part of the term of his predecessors.
- However, if a seat in the Chamber of Deputies becomes vacant for any constituency for any reason and should there be *force majeure* on account of which the Council of Ministers considers that rendering a by-election to fill that seat is impossible, the Chamber of Deputies, by the absolute majority of its members and within one month of its being notified thereof, shall elect a member to fill the said seat from amongst the inhabitants of the said constituency to whom the provisions of the Constitution are applicable and in the manner the Chamber deems appropriate.
- Article 89. (i) In addition to the circumstances under which the Senate and the Chamber of Deputies may hold a Joint meeting as prescribed in Articles 34, 79 and 92 of the present Constitution, both Houses shall hold a joint meeting at the request of the Prime Minister.
- (ii) When the Senate and the Chamber of Deputies hold a joint meeting, the meeting shall be presided over by the Speaker of the Senate.
- (iii) A joint meeting of the Senate and the Chamber of Deputies shall not be considered properly constituted unless an absolute majority of the members of each House is present. Resolutions at such a meeting shall be taken by a majority of the Senators and Deputies present, exclusive of the Speaker who, in case of equality of votes, shall have a casting vote.
- Article 90. No Senator or Deputy may be removed from his office except by a resolution of the House to which he belongs, provided that, other than

the case of disqualification and combination of offices as prescribed in this Constitution and in the Electoral Law, the resolution to remove a Senator or Deputy must be taken by a two-thirds majority of the House. If the resolution of removal concerns a Senator, the resolution must be submitted to the King for ratification.

Article 91. The Prime Minister shall refer to the Chamber of Deputies any draft law, and the Chamber shall be entitled to accept, amend, or reject the draft law, but in all cases the Chamber shall refer the draft law to the Senate. No law may be promulgated unless passed by both the Senate and the Chamber of Deputies and ratified by the King.

Article 92. Should either House twice reject any draft law and the other accept it, whether or not amended, both the Senate and the Chamber shall hold a joint meeting under the chairmanship of the Speaker of the Senate to discuss the matters in dispute. Acceptance of the draft law shall be conditional upon the passing of a resolution by a two-thirds majority of the members of both Houses present. If the draft law is rejected as described above, it shall not be placed again before the House during the same session.

Article 93. (i) Every draft law passed by the Senate and the Chamber of Deputies shall be submitted to the King for ratification.

(ii) A law shall come into force after its promulgation by the King and the lapse of thirty days from the date of its publication in the official Gazette unless it is specifically provided in that law that it shall come into force on any other date.

(iii) If the King does not see fit to ratify a law, He may, within six months from the date on which the law was submitted to him, refer it back to the House coupled with a statement showing the reasons for withholding His ratification.

(iv) If any draft law (other than the Constitution) is referred back within the period specified in the preceding paragraph and is passed for the second time by two-thirds of the members of each of the Senate and the Chamber of Deputies, it shall be promulgated. If the law is not returned with the Royal ratification within the period prescribed in paragraph (iii) above, it shall be considered as promulgated and effective. If any draft law fails to obtain the two thirds majority of votes, it cannot be reconsidered during the same session, provided that the National Assembly may reconsider the draft during its next ordinary session.

Article 94. (i) In cases where the National Assembly is not sitting or is dissolved, the Council of Ministers has, with the approval of the King, the power to issue provisional laws covering matters which require necessary measures which admit of no delay or which necessitate expenditures incapable of postponement. Such provisional laws, which shall not be contrary to the provisions of the Constitution, shall have the force of law, provided that they are placed before the Assembly at the beginning of its next session, and the Assembly may approve or amend such laws. In the event of the rejection of such provisional law, the Council of Ministers shall, with the approval of the King, immediately declare their nullity, and from the date of such declaration these provisional laws shall

- cease to have force provided that such nullity shall not affect any contracts or acquired rights.
- (ii) Provisional laws shall have the same force and effect as laws enacted in accordance with paragraph (ii) of Article (93) of this Constitution.
- Article 95. (i) Any ten or more Senators or Deputies may propose any law. Such proposal shall be referred to the committee concerned in the House for its views. If the House is of the opinion that the proposal be accepted it shall refer it to the Government for drafting it in the form of draft law, and to submit it to the House either during the same session or at the following session.
- (ii) Any law proposed by Senators or Deputies in accordance with the preceding paragraph and rejected by either House shall not be presented for a second time during the same session.
- Article 96. Any Senator or Deputy may address questions or interpellations to the Ministers concerning any public matters, in accordance with the provisions of the Internal Regulations of the Senate or the House (as the case may be). No interpellation may be debated before the lapse of eight days from the date of its receipt by the Minister, unless the case is of an urgent nature and the Minister agrees to shorten this period.

## **CHAPTER SIX: The Judiciary**

- Article 97. Judges are independent, and in the exercise of their judicial functions they are subject to no authority other than that of the law.
- Article 98. Judges of the Civil and Sharia Courts shall be appointed and dismissed by a Royal Decree in accordance with the provisions of the law.
- Article 99. The courts shall be divided into three categories:  
(i) Civil Courts (ii) Religious Courts (iii) Special Courts.
- Article 100. The establishment of the various courts, their categories, their divisions, their jurisdiction and their administration shall be by virtue of a special law, provided that such law provides for the establishment of a High Court of Justice.
- Article 101. (i) The courts shall be open to all and shall be free from any interference in their affairs  
(ii) The sittings of the courts shall be public unless the court considers that it should sit in camera in the interest of public order or morals.
- Article 102. The Civil Courts in the Hashemite Kingdom of Jordan shall have jurisdiction over all persons in all matters, civil and criminal, including cases brought by or against the Government, except those matters in respect of which jurisdiction is vested in Religious or Special Courts in accordance with the provisions of the present Constitution or any other legislation in force.
- Article 103. (i) The Civil Courts shall exercise their jurisdiction in respect to civil and criminal matters in accordance with the law for the time being in force in the Kingdom, provided that in matters affecting the personal status of foreigners or in matters of a civil or commercial nature which in accordance with international usage are governed by the law of another country, such law shall be applied in the manner designated by the law.

- (ii) Matters of personal status are those which are defined by law and in accordance therewith fall within the exclusive jurisdiction of the Sharia Courts where the parties are Moslems.
- Article 104. The Religious Courts shall be divided into:
  - (i) The Sharia Courts
  - (ii) The Tribunals of other Religious Communities.
- Article 105. The Sharia Courts shall in accordance with their own laws have exclusive jurisdiction in respect of the following matters:
  - (i) Matters of personal status of Moslems.
  - (ii) Cases concerning blood money (*diya*) where the two parties are Moslems or where one of the parties is not a Moslem and the two parties consent to the jurisdiction of the Sharia Courts.
  - (iii) Matters pertaining to Islamic *wakfs*.
- Article 106. The Sharia Courts shall in the exercise of their Jurisdiction apply the provisions of the Sharia law.
- Article 107. The organisation of the affairs of Moslem (*wakfs*) and the administration of their financial matters, among other matters, shall be regulated by a special law.
- Article 108. The Tribunals of Religious Communities are those for the non-Moslem religious communities which have been or will be recognised by the government as established in the Hashemite Kingdom of Jordan.
- Article 109. (i) Tribunals of Religious Communities shall be established in conformity with the provisions of laws pertaining thereto. Such laws shall define the jurisdiction of such Tribunals in matters of personal status and *wakfs* constituted for the benefit of the Community concerned. Matters of personal status of any such community shall be the same matters as are, in the case of Moslems, within the jurisdiction of the Sharia Courts.
- (ii) Such laws shall determine the procedure to be followed by the Tribunals of the Religious Communities.
- Article 110. Special Courts shall exercise their jurisdiction in accordance with the provisions of the laws constituting them .

## **CHAPTER SEVEN: Financial Matters**

- Article 111. No tax or duty may be imposed except by law. Taxes and duties shall not include the various kinds of fees which the Treasury charges in respect of services rendered to members of the public by Government Departments or in consideration of benefits accruing to them from the State Domain. In imposing taxes, the Government shall be guided by the principles of progressive taxation, coupled with the attainment of equality and social Justice, provided that taxation shall not exceed the capacity of tax-payers or the State's requirements for funds.
- Article 112. (i) The draft law covering the General Budget shall be submitted to the National Assembly for consideration in accordance with the provisions of the Constitution at least one month before the beginning of the financial year.
- (ii) Voting in respect of the budget shall take place on each chapter separately.

- (iii) No sum falling within the expenditure section of the General Budget may be transferred from one chapter to another except by law.
  - (iv) The National Assembly, when debating the General Budget draft law or the provisional laws relating thereto, may reduce the expenditures under the various chapters in accordance with what it considers to be in the public interest, but it shall not increase such expenditures either by amendment or by the submission of a separate proposal. However, the Assembly may after the close of the debate propose laws for the creation of new expenditures.
  - (v) During the debate of the General Budget, no proposal shall be accepted for the abrogation of an existing tax or the creation of a new one or the amendment, whether by increase or reduction, of existing taxes which are prescribed by financial laws in force, and no proposal shall be accepted for amending expenditures or revenues fixed by contract.
  - (vi) The national revenues and expenditures estimated for each financial year shall be approved by the General Budget Law, provided that said Law may provide for the allocation of any special sums for a period exceeding one year.
- Article 113. If it is not possible to enact the General Budget Law prior to the beginning of the new financial year, expenditures shall continue by monthly appropriations at the rate of 1/12th for each month of the previous year's budget.
- Article 114. The Council of Ministers may, with the approval of the King, issue regulations for the control of appropriations and expenditures of the public funds and the organisation of Government stores.
- Article 115. All receipts from taxes and other sources of Government revenue shall be paid into the Treasury and shall be included in the Government budget save where otherwise provided by law. No part of the funds of the Treasury may be appropriated or expended for any purpose whatever except under the law.
- Article 116. The Civil List of the King shall be paid from the General Revenue and shall be fixed in the General Budget Law.
- Article 117. Any concession granting a right for the exploitation of mines, minerals or public utilities shall be sanctioned by law.
- Article 118. No person shall be exempt from the payment of taxes or duties in circumstances other than those prescribed by law.
- Article 119. An Audit office shall be set up by law for controlling the State's revenues, its expenses and the manner of expenditure:
- (i) The Audit Office shall submit to the Chamber of Deputies at the beginning of each ordinary session, or whenever the Chamber demands, a general report embodying its views and comments and indicating any irregularities committed and the responsibility arising therefrom.
  - (ii) The law shall provide for the immunity of the Head of the Audit Office.

## **CHAPTER EIGHT: General Provisions**

- Article 120. The administrative divisions of the Hashemite Kingdom of Jordan, the establishment of the Government Departments, their classification,

designations, the plan of operations and the manner of the appointment of civil servants, their dismissal, their discipline, supervision and the limits of their competence and powers shall be determined by regulations issued by the Council of Ministers with the approval of the King.

Article 121. Municipal and local council affairs shall be administered by municipal or local councils in accordance with special laws.

Article 122. The High Tribunal provided for in Article (57) shall have the right to interpret the provisions of the Constitution if so requested either by virtue of a decision of the Council of Ministers or by a resolution taken by the Senate or the Chamber of Deputies passed by absolute majority. Such interpretation shall be implemented upon its publication in the Official Gazette.

Article 123. (i) The Special Tribunal (Diwan Khass) may interpret the provisions of any law which have not been interpreted by the courts if so requested by the Prime Minister.

(ii) The Special Tribunal shall consist of the President of the highest Civil Court as chairman, two of its Judges and one senior administrative official, who shall be appointed by the Council of Ministers, as members. It shall also include a member delegated by the Minister concerned from among the senior officials of the Ministry which is involved in the needed interpretation.

(iii) The Special Tribunal shall give its decisions by a majority of votes.

(iv) Decisions given by the Special Tribunal and published in the Official Gazette shall have the force of law.

(v) All other matters concerning the interpretation of laws shall be decided as they arise by the courts of law in the usual course.

Article 124. In the event of an emergency necessitating the defence of the Kingdom, a law, which shall be known as the Defence Law, shall be enacted giving power to the person specified therein to take such actions and measures as may be necessary, including the suspension of the operation of the ordinary laws of the State, with a view to ensuring the defence of the Kingdom. The Defence Law shall come into force upon its proclamation by a Royal Decree to be issued on the basis of a decision of the Council of Ministers.

Article 125. (i) In the event of an emergency of such a serious nature that action under the preceding Article of the present Constitution will be considered insufficient for the defence of the Kingdom, the King may by a Royal Decree, based on a decision of the Council of Ministers, declare martial law in the whole or any part of the Kingdom.

(ii) When martial law is declared, the King may by a decree issue such orders as may be necessary for the defence of the Kingdom, notwithstanding the provisions of any law in force. Persons charged with the implementation of such orders shall continue to be subject to legal liability for all acts committed by them under the provisions of any such laws until they are relieved of such responsibility by a special law to be enacted for the purpose.

Article 126. (i) The procedure prescribed in the present Constitution with regard to draft laws shall apply to any draft law for the amendment of this Constitution, provided that any such amendment is passed by a two-

thirds majority of the members of each of the Senate and the Chamber of Deputies. In the event of a joint meeting of the Senate and the Chamber of Deputies in accordance with Article (92) of this Constitution, the amendment shall be passed by a two-thirds majority of the members of both Houses, provided that in both cases the amendment shall not come into force unless ratified by the King.

(ii) No amendment of the Constitution affecting the rights of the King and the succession to the Throne may be passed during the period of Regency.

Article 127. The duties of the Army shall be confined to the defence of the Kingdom and its safety.

(i) Recruitment to the army, its organisation and the rights and duties of its personnel shall be defined by law.

(ii) The organisation of the police and gendarmerie, including their powers, shall be defined by law.

## **CHAPTER NINE: Enforcement and Repeal of Laws**

Article 128. All laws, regulations and other legislative acts in force in the Hashemite Kingdom of Jordan on the date on which this Constitution comes into force shall continue to be in force until they are repealed or amended by the legislation issued thereunder.

Article 129. (i) The Constitution of Jordan issued on the 7th December, 1946, together with all amendments thereto, are hereby repealed.

(ii) The Palestine Order-in-Council for the Year 1922 and the amendments thereto are hereby repealed.

(iii) The repeals referred to in the preceding two paragraphs shall not affect the validity or any law or regulation made or act done thereunder prior to the coming into force of the provisions of the present Constitution.

Article 130. The provisions of the present Constitution shall come into force on the date of its publication in the Official Gazette.

Article 131. The Council of Ministers shall be charged with the execution of the provisions of the present Constitution.



## **2. The Jordanian National Charter, 1991**

### **CHAPTER ONE: THE CHARTER: RATIONALE AND AIMS**

To complete and strengthen the process of Jordanian reconstruction, His Majesty the King ordered the establishment of a Royal Commission and charged it with the task of drawing up a National Charter which would lay the foundations and define the methods of national public activity. The Charter would also point out the way for the future, establishing general guidelines on the exercise of political pluralism in so far as it constitutes the second component of democracy. This would be accomplished on the basis of the constant tenets of the Constitution as well as of political and national tradition. It would take cognisance of existing realities in Jordanian society in such a manner as would guarantee continued national progress and democratic change and protect them from taking an adverse course.

The Jordanian Constitution contains a range of constant general principles which regulate the form of governance in the Hashemite Kingdom of Jordan as well as the manner of interaction by the public with these principles. This has been in force since the inception and establishment of the Jordanian State. The Jordanian public views these principles as axiomatic and non-controvertible because they emanate from conviction, deeply-held beliefs and self-interest. These principles reflect the pride of all Jordanians in their national identity as part and parcel of the Arab nation and their faith in Islam as both the religion of the state and a defining civilisation for the people.

\*Since a commitment to these constant principles would make the relentless Jordanian and national struggle for a better future a fundamental task entrusted to the government and people to an equal degree,

\*And, since continued solidarity between the leadership and the peoples is a most important guarantee for securing Jordanian and national objectives, and, since the historical phase through which Jordan and the Arab World are currently passing is replete with challenges and dangers threatening the nation's destiny, foreshadowing a possible hegemony over its will and its freedom and testing its ability to keep up with scientific and cultural progress, to utilise its resources for the benefit of its citizenry or to share with other nations in the building of a better future for mankind as a whole,

\*And, since the Jordanian Arab citizens look for progress and for acquiring the necessary means to defend their homeland and to ensure the security of their society, and since they enjoy a high sense of responsibility and a deep appreciation of the importance of their participation in securing their own and their children's future within an established and stable framework of democracy and institutional principles,

\*And, since democracy can only be enhanced through emphasis on the universally recognised rights of the individual and through a guarantee of the rights of citizenship as secured by the Jordanian Constitution, and since these rights are enshrined in our great Arab and Islamic traditions and are given a place of honour therein, including the people's right to hold varying opinions as well as the right of the citizens, be they male or female, to change their circumstances and improve their lot by legal means, express

their views, and resort to whatever they deem necessary for the benefit of the whole by legitimate methods, and participate in the decision-making process,

\*For all these reasons, therefore, the democratic option is the most efficient and appropriate means of fulfilling the aspirations of the Jordanian people and their hopes at the national, Arab and universal levels. Agreement on these approaches by all segments and by popular and official bodies at all levels has been achieved with regard to a sum of concepts, values and basic principles as well as with regard to Jordanian and Arab objectives enunciated by the Charter. These should regulate public life and organise the state of relations among all official and popular bodies in society . Such agreement can only be regarded as an advanced form of cultural achievement and a comprehensive platform for the future. Its salient features and fundamental concepts are defined through the following set of facts, principles and constants:

- First: The system of government in the Hashemite Kingdom of Jordan is parliamentary, monarchic and hereditary. Adherence by all to legitimacy and to respect of the letter and spirit of the Constitution shall enhance the union between the people and their leadership.
- Second: The Jordanian people are part of the Arab nation. Arab unity is the only option that would achieve national security for Jordan and the Arab nation in all Arab countries, guarantee economic and psychological stability and ensure preservation, progress and continuity.
- Third: Faith in God, respect for spiritual values, adherence to higher principles and acceptance of the right of every individual to a life of freedom and decency are fundamental concepts in the building of the state and the achievement of progress by Jordanian society.
- Fourth: Islam is the religion of the state, and Islamic law is the principal source of legislation.
- Fifth: Arab Islamic civilisation, open to world civilisation, is the defining aspect of the national identity of the Jordanian people. It constitutes one of the bases of its unity, independence and progress in the face of division, dependence and cultural intrusion in all its forms. It is also a well head of innate values which Jordanian society seeks to strengthen, through science, learning, education and good example.
- Sixth: The Arabic language is the official language of the state. It is the language of the Holy Qur'an which has preserved for the Arab nation its true essence. It is imperative that the supremacy of Arabic be stressed by Jordanian society at all levels. Arabic should be used in all stages of education. Attention must be given to translation and Arabization to keep abreast of accelerating scientific progress, and to the learning and teaching of other living languages.
- Seventh: Respect for the mind, belief in dialogue, recognition of the right of others to disagree, respect for the opinion of others, tolerance, and rejection of political and social violence are basic characteristics of Jordanian society. Pursuant to this, there is no compulsion in religion or recourse to fanaticism, sectarianism or regional bias.
- Eighth: Jordanian men and women are equal under the law, There shall be no distinction between them in rights and obligations regardless of difference in race, language or religion. They shall exercise their constitutional rights and uphold the higher interest of the state and the national ethic in such a manner as to ensure that the

material and spiritual resources of Jordanian society are freed and directed towards achieving the national objectives of unity, progress and building a better future.

Ninth: Strengthening the foundations of a state governed by the supremacy of the law and firming up the democratic process based on political pluralism are an obligation of the state's institutions, of individual members of Jordanian society and all its other bodies.

Tenth: Political, party and intellectual pluralism is the means of strengthening democracy and ensuring participation by the Jordanian people in administering the affairs of the state. It serves to guarantee national unity and build a balanced civil society.

Eleventh: To be nationally committed is to respect the freedom of all citizens and to protect the country's security, independence and progress. National commitment contributes to the preservation of unity, the strengthening of the Jordanian people's sovereignty on their national soil and the protection of the people's integrity under conditions removed from all forms of discrimination, fanaticism or introversion.

Twelfth: National independence requires a liberation of the national will from all manner of external pressure or hegemony. It is achieved and preserved through the constant and effective exercise of a national political will at all levels. This requires the development of institutions and systems and the acquisition of appropriate means and methods to effect modernisation and progress in order to meet the challenges of the future, while at the same time preserving the noble mores of Jordanian Arab society and taken pride in its innate traditions.

Thirteenth: The Jordanian Armed Forces are the country's protective shield and the guarantors of its security and independence. The Arab Legion is in the forefront of the forces entrusted with the task of liberation and the defence of Arab integrity. The Legion's strength and effectiveness are enhanced through active support by the people and the popular army for strengthening Jordanian national security. It is the responsibility of the state and society as a whole to support the Armed Forces' capacity and preparedness and to provide the best possible conditions for their development.

Fourteenth: An independent national economy is a true support of national independence, security and progress. It is best achieved through self-reliance, development of latent national capacities, rational use of national wealth and resources, as well as through strengthening all components of the productive base, providing capable management, and moving towards a stabilisation and integration of basic economic legislation, within a framework of social justice.

Fifteenth: Social justice for all Jordanians requires a range of social insurance schemes, an updating of labour laws and a narrowing of income disparities in such a manner as to ensure balance and social harmony and to provide security and stability for Society as a whole.

Sixteenth: Respect for human rights, strengthening of democratic practices, guaranteeing a continued balance in development and achieving administrative efficiency in the Kingdom are fundamental national goals. They require a constant effort to promote a unified administrative system for the Jordanian state and to ensure that local councils become answerable to central authority for supervision and guidance purposes, they also require a strengthening of the social, political and economic structures of the state through supporting the concept of local administration in the various districts and governorates in such

a manner as to provide practical opportunities for the people to exercise self-government, enable continued close co-ordination between governmental and popular bodies and lead to better democratic practices through responsible participation within a framework of balanced rights and obligations.

Seventeenth: Jordanian universities are an important part of the country's fabric. They ought to function as beacons of intellectual enlightenment and scientific progress. To achieve this, the universities must be provided with the requisites and guarantees of academic freedom, They must be provided with the means to develop their curricula, keep abreast of knowledge, develop their capacity for scientific research and enhance their role in developing Jordanian society and meeting its needs. They must have the capacity to help build the country's institutions, provide good instruction and qualify the country's youth to solve problems and meet the challenges of the future.

Eighteenth: the decade of the nineties is a decisive period for Jordan and the Arab World. It is imperative that our nation must acquire the means to preserve its current state of awakening and bring together the various components of its strength and solidarity in order to meet the needs of the present as well as the challenges of the twenty-first century as reflected in the democratic revolution, the emphasis on human rights, the establishment of large economic blocs, and the explosive impact of technology and informatics.

## **Chapter Two**

### **STATE GOVERNED BY LAW AND POLITICAL PLURALISM**

#### **First: The state of Law and Political Pluralism**

1. The State of Law is a democratic state committed to the principle of the supremacy of the law and derives its legitimacy, authority and effectiveness from the free will of the people and all authorities within it are committed to providing legal, judicial and administrative guarantees to protect the rights, integrity and basic freedoms of the individual which rules were laid down by Islam and confirmed by the Universal Declaration of Human Rights and all other international covenants and treaties promulgated by the United Nations in this regard.
2. The Jordanian State is a State of Law in the modern sense of a democratic state. It is a state for all citizens regardless of any differences of opinion or any pluralism of approach. It derives its strength from an actual and declared application of the principles of equality, Justice and equal opportunities and from the provision of practical means enabling the Jordanian people to participate in the decisions affecting their lives and their affairs in such a manner as to achieve peace of mind, security, faith in the future, genuine concern for the institutions of the state and pride in belonging therein.

#### **Second: Basic Pillars of a State of Law**

1. Adherence to the letter and spirit of the Constitution by the legislative, executive and judiciary authorities in all their actions, within a framework of priority of the right.
2. Adherence to the principle of the supremacy of the law, within a frame work of comprehensive review by an independent judiciary.

3. Adherence, in the exercise of democracy, to the principles and requisites of social justice.
4. Ensuring that laws in general and laws pertaining to political parties, elections and publications in particular are dedicated to safeguarding the citizens' basic rights and public freedoms.
5. Adoption of the democratic dialogue as the basis of expressing the views, free from any form of coercion or intellectual terrorism, at all official and public levels.
6. Adherence by all government institutions, in the exercise of their duties and services to the public and entities to the principle of complete equality. Said institutions, whether civil or military, should not be exploited by any group, party or faction for political or party purposes, without prejudice to the rights of citizens to organise themselves politically, provided that all of the above is considered as a basic condition for the success of the democratic system.

**In order to strengthen the above pillars and to bolster the democratic structure of the Jordanian state and society, it is imperative to work on ensuring the following:**

1. Establish, through a special law, an autonomous body to be called the Complaints Bureau to exercise administrative inspection and review the performance of the administration and the actions of individuals therein. The Bureau shall report to Parliament and the Council of Ministers in accordance with the applicable provisions of the Constitution, laws and decrees without prejudice to the independence or jurisdiction of the judiciary.
2. Establish, through a special law, an autonomous body to update and develop legislation based on studies and research conducted for that purpose. This body shall report to Parliament and the Council of Ministers.
3. Establish a Constitutional Court with the following jurisdiction:
  - a. Interpret the provisions of the Jordanian Constitution in matters referred to it by the Council of Ministers.
  - b. Decide on matters referred to it by the courts with regard to constitutional issues arising from cases entertained before these courts.
  - c. Decide on disputes and challenges pertaining to the constitutionality of laws and decrees which are brought before it by interested parties.

In all of the aforementioned instances, the Jurisdiction of the Constitutional Court shall be limited to deciding on the constitutional aspect. Decisions by the Court shall be final and binding on all state bodies and individuals.

4. Amalgamate legislation pertaining to state of emergency and state of extreme emergency sanctioned by the Constitution into one law which would make decisions by the Council of Ministers declaring either state of emergency or specifying its duration subject to approval by Parliament and would in all cases place all administrative decisions taken by virtue of this legislation subject to review by the High Court of Justice.
5. Restore to Parliament the legislative powers of the Council of Ministers stipulated in Articles 114 and 120 of the Constitution in connection with decrees of public works, public purchases and civil service.

6. Subject the budgets of public corporations to parliamentary approval. The budget of mixed companies where public equity amounts to fifty percent or more shall be subject to subsequent parliamentary review.
7. Take steps to introduce constitutional amendments deemed necessary to meet development needs and to repeal provisions in the Constitution which have lost their *raison d'être*.

### **Third: Guarantees of the Democratic Approach**

The most important guarantees of the democratic approach and achievement of political pluralism are the adherence to the following principles:

1. Respecting the fundamentals of democratic action by organised political groups and parties in their general conduct since it constitutes a guarantee to justice and stability.
2. Strengthening the traits of tolerance and objectivity, respect for the beliefs of others and groups in the exercise of political and party affairs, avoiding narrow personal conflicts and the slander of individuals and entities.
3. Guaranteeing the basic freedoms of all citizens in such a manner as to protect the structure of a democratic society, preserve the rights of individuals and ensure full freedom of expression and its declaration with complete liberty within the limits of the Constitution.
4. Attaining equality, justice and equal opportunities for all citizens, male and female, without discrimination.
5. Preserving the civilian and democratic character of the state, and regarding any attempt to abolish or undermine this character as invalid *ab initio* as it would constitute a violation of the constitution and the pluralist principle and its perception.

### **Fourth: Principles and Limitations Governing the Establishment of Parties**

1. Jordanians enjoy the right to establish and belong to political parties and groupings provided that their objectives are legitimate, their methods are peaceful and their statutes do not violate the provisions of the Constitution. Laws regulating the operation of parties should not include any provisions which overtly or implicitly call for abrogating the constitutional right to establish political parties.
2. Political and party work in Jordan is based on the principle of pluralism of thought, opinion and organisation and on securing the requisites of democratic competition and its legitimate means.
3. A party must announce and declare its statutes and internal regulations which specify its aims, financial resources and political, economic, social and cultural platforms.
4. The judiciary is solely empowered to decide on any infringement pertaining to the application of the Parties Law.
5. Political parties shall, in their internal workings as well as in their programmes, approaches, actions and public and party activities, adhere to the following principles:

- a. Parties must employ democratic methods in their internal workings, choice of leadership and in the exercise of their activities within a framework of democratic dialogue and free competition among the political parties. The same shall apply to relations and dealings by any party with other political parties and groupings as well as with popular and constitutional institutions in a spirit of mutual respect for opposing views.
- b. There shall be no structural or financial affiliation by the leadership or members of any party with any non-Jordanian. Also, no activities by any party or grouping shall be conducted upon instructions or directions from any foreign state or body. Taking into consideration what is stated in this paragraph and all principles and limitations governing the organisation of parties, any provisions in the statute, internal regulations or programmes of any licensed Jordanian party serving Palestine, Arab unity or Islamic solidarity shall be regarded as a national Jordanian undertaking.
- c. Any party in government or participating therein shall adhere to the principles of equality and equal opportunities for all citizens and must regard ability and qualifications as basic criteria for any appointment to public office.
- d. In the matter of financial revenues, all parties shall rely on local, recognised, declared and specified Jordanian resources. These shall be subject to financial audit and legal review in the manner prescribed by law.
- e. In matters of organisation, activities and orientation, all parties shall refrain from organising or recruiting for party purposes within the ranks of the Jordanian Armed Forces and security departments or establishing military or paramilitary (militia) groups of any description whatsoever.
- f. All parties whatever their form of organisation shall maintain premises with known and declared addresses. Parties shall not use state, public, charitable or religious institutions or bodies for the benefit of any party or grouping. Nor shall they involve any such institutions in any political or factional conflicts.

### **CHAPTER THREE: JORDAN'S NATIONAL SECURITY**

Jordan's national security depends to a very large extent on the resolve and inner strength of Jordanian society to ensure the defence and independent will of the country, guarantee the safety and freedom of the Jordanian people and provide the citizens, wherever they may reside, with the means of a decent living, personal and financial security and psychological and social stability. Jordan's physical location and political stance, which place it in the front lane of confrontation with the Zionist threat, require it to harness its resources, efforts and capabilities in order to meet the challenge by defending its existence and protecting its national security by all available means.

This being the case, Jordan's national security shall be based on the following considerations:

1. Jordan's security is part of Arab national security. In good times and bad, each has a direct bearing on the other. This makes Jordan's steadfastness and strength indivisible from those of the Arab nation, and emphasises the Arab dimension with regard to Jordan's strength, security and stability.
2. In its approach to national security, Jordanian policy springs from a recognition of the dangers of division and dependency which threaten the political, economic and

social security of Jordan and the Arab World. This calls for a national policy emphasising independence in all fields, strengthening Jordanian society from within, increasing commitment to the homeland, instilling in the youth a spirit of sacrifice and faith in the justice of the nation's great causes and informing them of the nature, aims and alliances of the enemy and the danger they pose to the future of the Arab nation and its holy places. It also requires emphasis on the duty of Arabs and Muslims to support Jordan's efforts to preserve its security and protect Arab and Muslim holy places.

3. Jordanian national security is also dependent on inculcating the concept of professionalism in the armed forces, broadening their base, developing their capabilities and rallying the resources of the country and people to their support, to enable them to perform their duty of protecting the country and contributing to its growth and development. This would achieve greater cohesion among the various segments of society and a greater commitment to the preservation of the country's security and achievements.
4. Increased attention must be given to developing the various arms of national security to enable them to carry out their duties in the best manner possible, and in accordance with their respective functions with regard to external and internal security. This must be done within a framework of respect for the dignity, freedom and constitutional rights of the citizenry coupled with a moral responsibility of promoting an atmosphere of social peace and mutual confidence between the security forces and the people on all walks of life.
5. Economic and social security for all segments of the Jordanian people is an essential component of national security. To achieve this, greater reliance must be placed on Jordan's own resources to enable the country to meet the people's basic needs in a manner that would accord due respect to the dignity of the individual and contribute to his material and psychological well-being as well as to his means of livelihood.
6. Strengthening democracy is an essential component contributing to a deeper commitment to the homeland and greater confidence in its institutions. It also contributes to solidifying the union of the Jordanian people and further protecting their national security. This must be achieved through providing the conditions for real participation by all citizens in an atmosphere of social justice, equal opportunity and a proper balance between rights and obligations.

#### **CHAPTER FOUR: THE ECONOMY**

The Jordanian economy is constrained by several factors which impede its growth and development. Most prominent of these are: scarce mineral, energy and water resources, limited area of arable land, high rates of population growth, small local market (in the absence of a workable concept of Arab economic integration), political instability in the region and an increasing national defence burden.

These constraints have led to a heavy dependence on external assistance and loans. However, the economy has achieved high rates of growth which have left a mark in varying degrees on many aspects of Jordanian life.



With the growth of the role of government in economic activities, it was natural for it to take on the responsibility of providing the infrastructure in the various regions of the Kingdom. However, in the absence of a comprehensive economic policy, proper management and effective oversight of public performance, economic sectors have shown uneven growth. The resultant income disparity has led to a contraction of the middle classes. At the same time, there has been a noticeable rise in prestige projects, conspicuous consumption by the public and private sectors, extravagant use of resources, a large increase in the public debt and a drop in economic growth rates.

In light of the above, the future outlook for economic growth and social development must be guided by the followings:

1. The Jordanian economy must be based on respect for private ownership and encouragement of private enterprise. On the other hand, natural resources and strategic projects must be the property of the state, with a full right to their management and supervision in the public interest. The state must also retain the prerogative of regulating the economy and allocating resources in accordance with national priorities.
2. There must be a clear and well-defined developmental strategy based on the concept of self-reliance, release of the innovative spirit in society, a high degree of respect for work and productivity, reconstitution and development of the rural economy, harnessing and rational use of natural and human resources, development of the national productive base, improvement of services, upgrading of public administration and strengthening of financial and quality control.
3. Optimal use must be made of all available resources, coupled with the utilisation of appropriate scientific and technological means for improving productivity in a manner that would meet the needs of the citizens, provide employment opportunities, improve and diversify income and raise the standard of living.
4. Economic decisions must be declared, legal, objectives institutionally-based and free of any personal interest or individual consideration.
5. Reliance must be placed on up-to-date and accurate data in the formulation of socio-economic policy and in the decision-making process. To that end, prompt data collection, documentation and publication must be emphasised.
6. Emphasis must be placed on the right of establishing trade unions in all economic sectors, including agriculture, and the regular updating of labour and trade union legislation to ensure a minimum wage and continuous training of the labour force, and to regulate relations between employers, workers and government within a balanced framework of rights, obligations and roles.
7. Employment opportunities must be provided to all citizens. Policies and measures must be adopted to achieve this objective, particularly through national plans encouraging labour-intensive economic activities, better working conditions, an improved educational system geared towards the needs of society and a greater social value attached to work of any kind.
8. Combating poverty and its effects must be made a strategic goal of the Jordanian state and a national responsibility requiring the provision of employment opportunities to all who can and want to work, with first priority to be given to Jordanians. Also, there must be a just regional and social distribution of services and development projects with the objective of meeting basic needs, marginalising poverty and reducing its impact on the individual and society.

9. Expatriate Jordanians must be regarded as part of the social and economic structure of the state and, hence, measures must be taken to ensure a better knowledge of their conditions, more effective communication with them and closer links with their home base. This must be achieved through watching over their interests in the workplace, ensuring a proper exercise of their citizen's rights and facilitating the fulfilment of their obligations and commitments to the state.
10. Water must be regarded as a basic factor on which the future of development in Jordan very heavily depends. This requires a clear exercise by the state over ownership, sovereignty, preservation, development, management, storage, transportation and use of water resources within a set of clear national policies and priorities.
11. The roles of all economic sectors -- private, public, mixed and cooperative must be integrated, and objective conditions must be provided for their growth, with due recognition to the role of each sector. Performance must be evaluated according to defined economic and social considerations. Financial exemptions enjoyed by public companies and institutions which operate on a commercial basis must be eliminated, while ensuring that no conflict arises with the provisions or objectives of the Encouragement of Investment Law.
12. The centrality to the national economy of the agricultural sector in Jordan must be recognised and accorded the priority and attention it deserves. Also, the roles of agricultural institutions must be activated and integrated in the areas of combating desertification and urban encroachment, and developing and disseminating agricultural research and extension. Agro-industries, productivity, marketing, and livestock development must be regarded as an essential element of national policies aimed at achieving food security.
13. Stress must be placed on industries with a high value-added element arising from the use of local materials and other components, and favourable conditions and incentives must be provided for their growth and development. Competition must be promoted among the various national industries.
14. Services utilising domestic expertise must be developed and marketed as they constitute a basic component of the national economy. Also, in so far as tourism is a major source of national income, the tourist potential must be developed to the full through marketing, development of tourist and archaeological sites, encouraging domestic tourism, cultural activities and Jordanian folklore, and supporting traditional trades in all regions of the Kingdom.
15. Economic and financial legislation must be unambiguous and complementary in nature. It must be updated in line with evolving domestic and external variables. Savings must be encouraged and a favourable investment climate provided. Procedures must be streamlined.
16. Financial and tax legislation must be regularly updated while ensuring a measure of flexibility to meet the evolving economic and social needs of Jordanian society because such legislation is an important means of developing and regulating the national economy and a basic requirement for balanced national development which leads to reducing income disparity and achieving social justice.
17. Public borrowing by the state and its various institutions must be regulated in accordance with the Kingdom's priorities and basic needs. Domestic and external loans and any other loans guaranteed by the government must be made subject to parliamentary approval.

18. There must be close cooperation and coordination between government bodies and specialised social institutions in the ecological field, as all citizens have a right to a clean and balanced environment. Protection of the environment from pollution is a national responsibility towards present and future generations. Awareness must be disseminated to ensure an environmentally sensitive public outlook and a high level of public understanding of pollution problems. Measures must be taken to achieve a balance between environmental needs and the development imperative. Criteria must be set and legislation enacted to deal with the negative ecological impact of certain types of development projects.

## **CHAPTER FIVE: THE SOCIAL ASPECT**

1. Jordanian society derives its mores and values from the Arab and Islamic system of values as well as from the universal human ethic. Relationships among its people are based on the bond of citizenship. Societal development rests on participation by all segments and institutions in the process of construction and production, with the common objective of achieving integrated social growth under conditions of freedom, equality and social Justice.
2. The system is also based on respect for the individual as pointed out in the Almighty's dictum: "We have bestowed blessings on Adam's children". State institutions must, therefore, ensure the dignity and rights of all citizens, as guaranteed by the Constitution and affirmed by international conventions. Individuals and groups must play their part in protecting these rights and observing the principles of justice, equality and equal opportunity for all.
3. The family is the principal block of society. It is the natural environment for the rearing, education and personality growth of the individual. The official and popular institutions of the state must provide for the formations cohesion and well-being of the family. They must assist it in the task of providing future generations with a sound upbringing.
4. Good motherhood is the basis of good childhood, to which every child has a natural right. State and society must provide special care for mothers and children, ensuring working mothers' rights to maternity leave and child-care facilities, including health and social guarantees, good working conditions and appropriate support amenities.
5. Children have the right to expect the best possible level of care and protection from parents as well as from the state. This must be geared towards the development of their independent and co-operative personalities, without any discrimination between males and females.
6. Women are men's partners and equals in contributing to the growth and development of Jordanian society. This requires an affirmation of women's constitutional and legal right to equality, education, guidance, training and employment as a means of enabling them to play their proper role in the growth and development of society.
7. Youth constitute both the future of society and its renewable human wealth. The state must draw up policies and national programmes aimed at harnessing the resources of the country's youth, qualifying them for responsibility productive work, innovation and creativity, protecting them from delinquency and directing their creative energies towards constructive development.
8. The handicapped have a right to special care, education, training, rehabilitation and employment, thus enabling them to overcome their difficulties and become productive members of Jordanian society.

9. Attention must be paid to the concept of social partnership in Jordanian society through expanding social benefits and developing the Zakah (Alms) Law with the aim of regulating it, unifying and upgrading collection and ensuring the achievement of its basic objectives.
10. Voluntary work must be based on the concept of national commitment and social partnership. Attention must be paid to the establishment of voluntary societies and clubs and providing them with incentives conducive to effective participation, to strengthening the positive values of Jordanian society and to rejuvenating the Arab and Islamic traditions of partnership, amity and altruism.

## **CHAPTER SIX: CULTURE, EDUCATION, SCIENCE AND INFORMATION**

### **First: Culture**

In its intellectual, artistic and creative aspects, Arab and Islamic culture is the fountainhead of Jordanian national culture through which the quality of Jordanian life is enhanced. It is a symbol of the Arab nation's sturdiness, the source of its material and moral strength and the epitome of its unity and steadfastness in the face of foreign cultural incursions. Jordanian culture is also part of the aspirations, issues and challenges of contemporary Arab culture. This predicates the following:

1. The Arabic language is the nation's tongue and its means of expressing its cultural identity. It is the repository of the nation's thought, learning and values and the vehicle of knowledge transfer. It must be preserved and developed. Translation from and into Arabic must be activated. Scientific and academic institutions must be urged to participate in the process of Arabization and publication in Arabic in all literary and technical fields.
2. Care must be extended to preserving, expounding and documenting the national heritage through sound scientific methods. It must be published and disseminated within the means available and in cooperation with Arab, Islamic and international organisations concerned with the national heritage and contemporary culture.
3. Pride in Arab and Islamic history must be strengthened, recalling the Positive contribution of the Arab nation at the global level. Jordan's history must be documented, its archaeology preserved and its facts studied, taught and expounded. The role of the national will of the Jordanian people in shaping its present and its future must be highlighted.
4. Attention must be paid to enhancing the cultural attainments of Jordanian citizens in all regions of the Kingdom through promoting and developing national culture by all available means, enabling meaningful participation in the process of comprehensive cultural growth.
5. Due care must be extended to the instruments of disseminating national culture, including libraries, data bases, theatres, exhibitions and museums, and projecting the cultural achievements of the Jordanian people.
6. Care must be extended to all forms of Jordanian folklore as they constitute a creative and enriching part of national culture. They must be brought abreast of the modern age in a manner that would serve to integrate the nation's cultural fabric.
7. The right of Jordanian thinkers, men of letters, artists and poets to ready access to various cultures must be ensured as a means of enriching and invigorating the national culture without detriment to Arab and Islamic values.

8. Copyright must be respected. Legislation protecting copyright and patents must be updated.

## **Second: Education**

Jordanian education is an evolving and integrated system. Its philosophical underpinning is expressive of the nation's thought and values. It is based on the enduring tenets of the Islamic faith, the supreme values of the Arab nation and the Jordanian national experience. From this grows the following:

1. The educational policy in Jordan must ensure an integrated spiritual, physical, psychological, mental and social growth of an individual who is aware of his rights, cognisant of his obligations, committed to his country, proud of his nation, imbued with the scientific spirit and democratic values, believing in human rights and in the principles of justice, goodness and equality, and capable of being usefully productive and creatively enterprising.
2. Education of the young must be based on faith in God, in the authentic character of the Arab nation and in its amenability to renewal and creativity in all walks of life.
3. The educational system must endeavour to promote independent and creative thinking through activating incentives for work, seriousness of purpose, precision and distinction as well as through directing education towards equipping the individual for the future. To achieve this, attention must be paid to the upgrading of intellectual processes and psychological stamina to meet future challenges and dangers. Sound methodologies of scientific and critical thought must be developed by upgrading the skills of extrapolation, comprehension and rational interaction with knowledge.
4. The educational system must be linked with the requirements of production. The educational process must produce the qualified manpower that the country needs now and in the future.
5. The educational system must be both comprehensive and flexible. It must make special provisions for the gifted, who must be given opportunities commensurate with their capabilities and aptitudes to ensure that society reaps the benefit of their potential contribution. Similarly, care must be extended to educating the handicapped, integrating them into the system at an early age and providing them with productive skills.
6. Arabic must be the language of instruction at all levels and in all fields. To this end, methods of teaching Arabic must be developed, as must the approach of teaching it to speakers of other languages. Also, the learning of other living languages must be stressed to enable the youth to familiarise themselves with literary, scientific and other output in those languages and to maintain contact with other peoples.
7. The teaching profession must be accorded the attention it deserves in order for it to occupy a suitable place among the other professions. Teachers should receive proper training. They must be given the opportunity to participate in the decision-making process. Their educational attainments and standard of living must be proved

### **Third: Science and Technology**

Science and technology have a central role in the development of society as well as in solving social and economic problems, strengthening Jordanian and Arab security, enabling society to deal with changing conditions and contributing to world civilisation. There are several requisites for an effective contribution by science and technology:

1. A clear political decision and national will must exist to acquire, transfer, develop and utilise technology to meet the country's needs on the basis of careful planning which relies on indigenous institutions and on an advanced system of education.
2. The scientific method must govern the people's way of thinking. It must be utilised for solving problems and enhancing the ability of Jordanian society to transform raw data into a system of knowledge which can be applied in various fields. National data banks must be established for this purpose.
3. Special emphasis must be placed on the teaching of science and mathematics, with due attention to their application, at all levels and in all types of educational institutions.
4. Society as a whole must acquire the culture of science and technology in order to be able to interact in an effective and rational manner with advanced technological processes
5. A climate of academic freedom must be provided, together with the resources for advanced scientific research. Also, research must be geared towards meeting the developmental needs of Jordan in all areas. Arabic must be the medium of research and development activities as well as a vehicle for innovation and publication.
6. Jordan's natural resources must be developed, whilst guarding against the negative effects of technology, preserving the ecological balance and protecting the living environment from pollution.

### **Fourth: Information and Communications**

Rapidly accelerating advances in science and technology, coupled with the effects of the communications revolution, have given communications and the mass media a principal role in shaping knowledge, convictions and attitudes. The mass media also play an important role in strengthening the democratic process. The following are requisites in this field:

1. Jordan's information philosophy must be based on the principles of freedom, national responsibility, respect for the truth and regard for the values of the Arab and Islamic nation.
2. Freedom of thought and expression, and access to information, must be viewed as a right of every citizen as well as of the press and other mass media. It is a right enshrined in the Constitution and should under no circumstances be abridged or violated.
3. Official and popular institutions must contribute to the training of personnel in the information field with a view to enabling them to perform their tasks objectively and impartially.
4. Citizens must have access to facts and information from legitimate transmission and publication sources within Jordan and abroad. Censorship of classified material should not prevent the citizens from exercising this right.

5. Jordanian citizens and political groups must have the right to use the national mass media to state their opinions and give expression to their cultural, intellectual, technical and scientific creativity. The state must draw up policies to ensure the exercise of this right.
6. Information and communications media must serve as channels of conveying the country's image, culture and achievements to the world and as a means of transferring new knowledge and cultural and scientific advances to the citizens. This requires an enhancement of national capabilities and recourse to expert services.
7. Information media must have a formative role in shaping citizen attitudes of commitment to their country and nation and pride in their Arab and Islamic heritage. This function must be exercised in a manner that would integrate the roles of the family, schools and places of worship in developing citizens' awareness, knowledge and attitudes and would contribute to preserving social harmony and national unity while countering the harmful effects of hostile propaganda.
8. All information media must strive to provide a climate of freedom conducive to the growth of Jordanian society through enlightened knowledge and honest reporting. They must shun any encroachment on the freedom of individuals or their personal lives.
9. General policies of the information media in Jordan must strengthen respect for the human mind and intelligence and for the individual's right to freedom of expression. They must provide an appropriate climate to encourage creativity and innovation.
10. The state must guarantee the right and freedom of Jordanian individuals, groups and institutions to own and publish newspapers in accordance with the provisions of the Constitution. Legislation must be enacted to regulate the financing of newspapers with the aim of protecting them from external influence.
11. The circulation of news and data must be regarded as an indivisible part of the freedom of the press and information. The state must guarantee free access to information to the extent that it does not jeopardise national security or the national interest. It must enact legislation to protect journalists and other information personnel in the fulfilment of their duties and to provide them with material and psychological security.
12. The mass media must be committed to the service of the country as a whole. They must not be used to propagate the particular philosophy of any political party or group or to give publicity to the work of individuals in any government in power. Citizens must be given the opportunity to participate in drawing up mass-media policies through special boards to be established for this purpose.

## **CHAPTER SEVEN: THE JORDANIAN PALESTINIAN RELATIONSHIP**

The facts of the close historical and geographic relationship between Jordan and Palestine over the ages, together with the nature of the national affiliation and culture position of Jordanians and Palestinians in the present and the future, have endowed this relationship with a special and distinctive character. It is bolstered by the strong ties and deep common interests that exist between them. It is imperative, therefore, that this relationship be preserved and strengthened in the face of the racist, Zionist and imperialist threat which endangers the existence, civilisation and sacred heritage of the Arab nation and marks Jordan out as a target as it had previously targeted Palestine.

In the light of these facts, the Jordanian Palestinian relationship must be based on the following principles:

- First: The Palestinian Arab identity is a political identity forged by struggle. It is not and must not be contradictory to the Arab Jordanian identity. The only contradiction lies with the Zionist settler programme. Just as the national Palestinian identity is the antithesis of the Zionist programme and hence struggles to dismantle it, the Jordanian national identity, viewed from this perspective, is also an antithesis of the Zionist programme and hence fortifies Jordan against Zionist designs and claims. In this light, Jordan and Palestine are one Arab coin struck by their shared struggle to stand up to the expansionist Zionist programme and firmly reject the alternative homeland conspiracy.
- Second: Political variables at the Arab and international levels, together with developments in the Jordanian Palestinian arena, resulted in the severing of administrative and legal ties with the West Bank, with which the Palestine Liberation Organisation agreed. They also led to the declaration of an independent Palestinian state under the leadership of the Palestine Liberation Organisation and to recognition by Jordan of the Palestinian state. This has given rise to a new reality which emphasises the special and distinctive nature of the Jordanian Palestinian relationship and establishes the conditions for placing it on a right footing and basing it on a clear set of principles.
- Third: On this basis, the Jordanian-Palestinian relationship must not be understood or exploited under any conditions whatsoever to imply any curtailment of the rights of citizenship or to lead to a weakening of the Jordanian state from the inside or to create conditions leading to the realisation of Zionist designs to make Jordan an alternative to the Palestinian homeland. From this perspective, a commitment to Jordan's national security becomes the responsibility of all citizens and serves to emphasise their continued struggle and sacrifice for the liberation of Palestine and the preservation of Jordan and its identity.
- Fourth: Since the unity-infused relationship between the states of Jordan and Palestine is a matter of future inevitability, the maintenance of this relationship requires respect for the choices to be made by Jordanians and Palestinians in achieving the best formulations for union between them as a model for comprehensive Arab unity.

On the basis of the above, national Jordanian unity is the solid base on which close relations must exist among the citizens in the Jordanian state. In addition, because it is impossible to distinguish on the ground between the Jordanian Arab people regardless of their origins, this unity must be protected and strengthened in such a manner as to bolster Jordan's sturdiness, preserve its national security, defend the domestic front, guarantee equal opportunities for all citizens without discrimination and safeguard their legitimate rights and interests as enshrined in the Constitution.

## **CHAPTER EIGHT**

### **JORDANIAN, ARAB, ISLAMIC AND INTERNATIONAL RELATIONS**

Jordan is an indivisible part of the Arab and Islamic nation. Hence, its national identity is Arab just as Islam is the faith of the nation, the fountainhead of its civilization and the source of values which govern its conduct.



In the light of these facts, the people, leadership and democratic institutions of Jordan firmly believe in the inevitability of union among the Arab states and aspire to achieve union by all legitimate means. They also aspire to establishing effective Arab-Islamic solidarity and contributing to the formulation of a new and balanced world order in which international relations are built on equivalent interests, respect for the will of the peoples and their right to independence, freedom and security, and a sharing in the achievement of progress and protection of human rights -- free from hegemony or the usurpation of political decisions.

To achieve these aims, Jordan is guided by its own experience as part of the Arab nation as well as by its realistic and future view of the importance of the Arab and Islamic dimensions of the world scene. Jordan believes that the achievement of its national Arab objectives requires a unity-based Arab programme in accordance with the following principles:

- First: The Arab homeland, in its historical, geographic, material and cultural aspects, is the natural home of the Arab nation. Arab unity is the fundamental base. It is also the real response to the current state of disarray. It is the objective solution to the economic and social problems and issues arising from this disarray. It is the path of transcending division, backwardness and dependency and the best means for a better future for the Arab nation.
- Second: The nature or the challenges imposed on Jordan and the Arab nation and the magnitude of the threat confronting the Arab homeland demand a positive response to the national sentiment which permeates all regions of the Arab homeland. They further require a will to achieve Arab unity in order to defend Arab existence and identity and protect the common national interests of the Arab nation in all Arab states.
- Third: The Arab society to which Jordan aspires is one that is informed by the democratic principle, believes in Arab unity and subscribes to the conviction that the strategic resources of the Arab homeland belong to the entire Arab nation and must be placed in the service of Arab society to build its economy and strengthen its national security.

Achieving these ends requires the following:

1. The democratic principle must be upheld, preserved, promoted and disseminated. Arab national security must be strengthened in all its dimensions and at all levels through a proper understanding of the requirements and conditions of this objective.
2. There must be a commitment to the great causes and national priorities of the Arab people. Every Arab country must clarify its position in this regard. The degree of clarity and sincerity of these positions is the only objective measure of state policies and national intentions.
3. A form of unity must be sought among those Arab states believing in unity, in accordance with objective state and national criteria and in such a manner as to protect the interests of the citizens of each state in the light of its own specific character.

4. Disarray among states must be transcended in all its forms. Resort must be sought in comprehensive economic and social development within a national Arab framework. Economic complementarities must be established to ensure collective self-sufficiency through the upgrading of human resources, development of natural resources and strengthening of joint Arab action.
5. Pan-Arab plans and policies must be drawn up to prepare the Arab nation in all Arab countries for the task of liberating Arab territories, with Palestine at the top of the agenda. Also, resources and capabilities of the Arab homeland must be harnessed and organised to achieve a unity of purpose, preserve the dignity of the Arab citizens and make possible the restoration of usurped Arab rights.
6. Arab culture, together with national and Islamic feeling and commitment, must be nurtured and promoted by Jordanian society. Inspiration must be sought from the pioneering legacy of the Arab nation as a means of reinvigorating the Arab cultural role on the world stage.
7. A clear and stable foundation must be established for closer Jordanian-Arab-Islamic relations on the basis of the nation's faith, values and common history. The great causes of the Arab and Islamic worlds must be brought to the fore in the face of the challenges and dangers which threaten the interests of the Arab and Islamic nations to an equal degree.
8. Jordan's international relations in all fields must be based on the principles of equality, mutual respect and balanced interests, and also on the basis of the attitudes of individual states to Arab causes, foremost of which is the Palestinian issue.
9. Jordan must contribute to the formulation of international relations in accordance with fixed criteria based on respect for the freedom, independence and right of peoples to self-determination, in addition to principles of right, justice, equality, a just peace among nations, a respect for human rights and a rejection of discrimination and international hegemony in all its forms.

### **3. POLITICAL PARTIES LAW No. 32 FOR THE YEAR 1992**

Article 1. This law shall be called the Political Parties Law for the year 1992, and shall be effective 30 days from the date of its publication in the Official Gazette.

Article 2. The following words and phrases, wherever they appear in this Law, shall have the meanings assigned to them herein below, unless the context otherwise indicates:

**The Ministry:** Ministry of Interior.

**The Minister:** The Minister of Interior.

**The Court:** The High Court of Justice.

Article 3. A Party is every political organisation which is formed by a group of Jordanians in accordance with the Constitution and the provisions of the law, for the purpose of participating in political life and achieving specific goals concerning political, economic and social affairs, which works through legitimate and peaceful means.

Article 4. Jordanians have the right to form political parties and to voluntarily, join them according to the provisions of the Law.

Article 5. The number of the founding members of any Party shall not be less than fifty persons who meet the following conditions:

A. to have completed 25 years of age.

B. to have been a Jordanian for at least ten years.

C. not to have been finally convicted by a court of proper jurisdiction of a crime (except political crimes) unless he has been rehabilitated.

D. to enjoy full civil and legal competence.

E. to reside in the Kingdom permanently.

F. not to claim the nationality of another country or foreign protection.

G. not to be a member in any other Party, or any other non-Jordanian political partisan organisation.

H. not to be a member of the Jordanian Armed Forces, Security Instrumentality's or the Civil Defence.

I. not to be a judge.

Article 6. The Memorandum of Association of the Party shall contain the following:

A. Its name and its motto, provided that its name and motto are not similar to any other party's name and motto.

B. The address of the main headquarters of the Party and the addresses of its branch offices, if any, provided that all such offices are located within the Kingdom and that none of them is located within the premises of any public, private, charitable, religious, productive or educational institution.

C. The principles for which the Party exist and the goals it seeks, and the means to achieve them.

D. Membership conditions and the procedures for joining the party in accordance with the provisions of the Constitution.

E. The procedures for forming the Party's echelons, choosing its leaders, regulating its relationship with its members, conducting its activities, specifying the political, organizational, financial and administrative

competences for any of these echelons, provided it is done on a democratic basis.

F. Specification of the financial resources of the party and the rules for managing its financial affairs, including the procedures for disbursing its funds preparing and approving its budget.

G. The procedures for the voluntary dissolution of the Party or its merger with other Parties, and for regulating the liquidation of its assets and specifying the authority to which these assets will revert.

H. Adherence to the principles and rules provided for in this Law.

Article 7. A. The application for establishing the Party shall be submitted to the Minister signed by the founders with the following information and documents attached thereto:

1. Three copies of the Party's Memorandum of Association signed by the founders.

2. A list of the names of the founders in four parties, and the place and date of birth, occupation, work and address of each founder.

3. A certified copy of the Birth Certificated of each of the founders, or a certified copy of the Family Book or of the Personal Identification Card.

4. A non-conviction certificate for each of the founders.

5. A certificate signed by five of the founders before the employee designated by the Minister testifying to the authenticity of the signatures of all the founders and the information concerning them. Each one of these five founders shall specify, in this certificate, his address or chosen residence where documents, notices and letters issued by the Ministry can be delivered to him.

B. The designated employee shall issue a notice of receipt of the establishment application indicating therein the date of submitting the application and the information and documents attached thereto.

Article 8. A. Each one of the five founders referred to in Article (7) Paragraph (A) Item (5) of this Law, shall be considered authorised to submit information and documents and to receive documents, notices and letters on behalf of all the founders.

B. Notification shall be effected through one of the Ministry's Employees by handing a copy of the documents to the person to be notified, who shall sign, on another copy of such documents, notice of the effectuation of the notification. Whoever effects the notification shall make an entry of the date and manner of notification followed by his name and signature.

Article 9. A. The founders have the right to withdraw any documents or statements submitted with the Establishments Application and to replace same with others within a period which commences on the date of submission of the Establishment Application and expires with the passage of fifteen days from the date of delivery of the notice of receipt of the Establishment Application.

B. The Minister may, by means of a letter issued within thirty days of the date of delivery of the notice of receipt of the Establishment Application, request the founders to submit any clarifications, documents or statements necessary for the implementation of the provisions of this Law.

- C. Any one of the five founders, mentioned in Article (7), Paragraph (A) Item (5) of this Law, may submit the requested clarifications, documents and statements within fourteen days of the date of delivery of the Minister's letter. Upon the request of the founders, the Minister may extend this period for similar period.
  - D. The designated employee shall issue a notice of receipt of these clarifications, documents and statements noting therein the name of the founder who submitted them and the date of their receipt.
- Article 10. A. If the party's Establishment Application meets the conditions set out in this Law, the Minister shall announce the establishment of the party within seven days of the passage of sixty days from the date of notification of receipt of the Establishment Application, or within fifteen days of the date of notification of receipt of the clarifications, documents and statements referred to in Article (9) of this Law. The announcement shall be published in the Official Gazette.
- B. If the Minister refrains from the announcement of the establishment of the party within the period provided for in paragraph (A) of this Article, then he shall have to state the reasons therefore and to inform the founders thereof in accordance with the procedures provided for in this Law. The Minister may not bring up any other reasons before the Court.
- Article 11. A. Each of the founders has the right to challenge, before the Court of Justice the Minister's decision referred to in Article (10) Paragraph (B) of this Law within thirty days of the date of receipt of decision.
- B. The Court shall issue its decision within sixty days of the date of registration of the contestation petition at the Court's Registry.
  - C. If the Court decides to revoke the Minister's decision, the Minister shall announce the establishment of the Party as of the date of the Court's decision, and the announcement shall be published in the Official Gazette.
- Article 12. If, for any reason whatsoever, the number of the founding members becomes less than fifty before the announcement of the establishment of the party in accordance with the provisions of this Law, the Establishment Application shall be cancelled.
- Article 13. The Party may not announce itself or pursue its activities until the issuance of the Minister's order approving its establishment, or the issuance of the Court's decision revoking the Minister's decision to reject the establishment. The Minister shall announce the party's establishment in accordance with the provisions of this Law.
- Article 14. The use of the premises, instrumentalities and assets of associations, charitable organisations and clubs for the benefit of any partisan organisation, shall be prohibited.
- Article 15. A. Following the announcement of its establishment, the party shall enjoy legal personality and shall not be dissolved or its leadership dissolved except in accordance with its Memo-randum of Association or by a decision of the Court.
- B. The party's affairs shall be managed by a leadership formed in accordance with the provisions of its Memorandum of Association and it shall be represented by its President before others, including judicial and

administrative authorities. If the memorandum of Association does not provide for the position of Party President, then its General Secretary shall assume those representative duties. The President of the General Secretary, as the case may be, may deputize, in writing, one or more of the members of the party to enjoy all or any of his powers, and may retain counsel in judicial and legal proceeding relating to the Party.

Article 16. Any person who wishes to join the Party after the announcement of its establishment must have completed eighteen years of age, and must also meet the other conditions provided for in Article (5) Paragraph (B through I) of this Law.

Article 17. The Party may issue one or more periodic publications to express its principles and views in accordance with the conditions provided for in the applicable Press and Publications Law.

Article 18. A. The Party's headquarters, correspondence and communication means shall be inviolable and shall not be censored, raided or confiscated except with a judicial order.

B. With the exception of cases of being caught in the act and flagrant violations, the party's headquarters may only be searched with a warrant of the Attorney and in his presence and that of a party representative. If the latter refuses recorded in the minutes of the search which shall be made in the presence of two witnesses.

C. Violation of the previous paragraph shall result in the invalidity of the search and the results thereof. The violator shall be subject to civil and criminal responsibilities.

Article 19. A. (1) In its financial resources, the Party shall fully depend on Jordanian, local known, declared and specified sources.

(2) The Party may accept gifts and donations only from Jordanian citizens, provided that the amount given by any one person does not exceed five thousand Jordanian Dinars per year.

(3) The Party may invest its assets and resources inside the Kingdom in the manner it sees fit, provided that such investments are declared and legitimate and that the objective therefore is not to achieve any personal gain or benefit to any of the members of the Party.

B. The Party's headquarters shall be exempted from all taxes and governmental duties imposed on immovable assets.

C. For the purposes of applying the provisions of the Penalties Law, the Party's assets shall be considered public assets. The persons responsible for the Party's affairs and those working therein shall be considered, for the same purposes, public employees. Members of the leadership of the Party, shall be subject to the legal provisions governing illegal gain.

Article 20. The Party shall provide the Minister with a copy of its budget for each year during first quarter and a declaration of its financial means and sources and financial position. The Minister or whoever he authorises has the right to examine the Party's accounts and to audit its financial records.

Article 21. The Party shall be committed to the following principles and rules in pursuing its affairs and shall set out clearly in its Memorandum of Association:

A. Adherence to the provisions of the Constitution and respect for the supremacy of the Law.

- B. Adherence to the principle of political pluralism in thought, opinion and organisation.
- C. Adherence to the preservation of the independence and security of the Homeland, protection of national unity, renunciation of all forms of violence and non-discrimination among citizens.
- D. Adherence to the achievement of equal opportunities for all citizens to assume responsibility and Participation therein.
- E. Adherence to avoiding any organisational or financial with any non-Jordanian body, as well as directing partisan activity upon the orders or directives of any foreign country or body.
- F. Abstention from partisan organisation and advocacy among the ranks of the Armed Forces, Security Instrumentalities and Civil Defence and the Judiciary, or from establishing military or para-military organisations of any form whatsoever.
- G. Avoiding the utilisation of the state's institutions, public organisations and all educational institutions for partisan organisation, and striving to preserve the neutrality of these institutions towards everyone in performing their duties.

Article 22. The Party shall keep the following records and statements at its main headquarters:

- (a) The Party's Memorandum of Association.
- (b) The names, addresses and residences of the Party's members, founding members and leadership members.
- (c) A record of the decisions of the leadership.
- (d) A detailed record of the revenues and expenditures of the Party.

Article 23. The leadership of the party shall inform the Minister, by means of a letter submitted to the Ministry's Registry against a notice of receipt, of any resolution adopted by the Party to dissolve or merge itself, or change its leadership or amend its Memo-randum of Association, within ten days of the date of issuance of such resolution or of making the amendment or change.

Article 24. A. Any one who receives, on behalf of the party, any money from any non-Jordanian source shall be punished by imprisonment for a period not exceeding two years, or a fine not exceeding two thousand Dinars, or with both penalties. Such money shall be confiscated and added to the account of the Treasury.

B. Any one who participates in a non-licensed Party, or one that does not declare itself in accordance with the provisions of this Law, shall be punished by imprisonment for a period not exceeding six months, or with a fine not exceeding five hundred dinars, or with both penalties.

C. Any one who forms a military or para-military organisation shall be punished pursuant to the provisions of the Penalties Law.

D. Any one who commits a violation of the provisions of this Law, for which no specified penalty had been stipulated therein shall be punished by imprisonment for a period not exceeding three months, or a fine not exceeding two hundred dinars. The two penalties shall be combined in case of repetition.

Article 25. A. The Party may be dissolved by decision of the Court upon a case filed by the Minister, if the Party violates any of the provisions of paragraphs

(2) and (3) of Article (16) of the Constitution, or violates any material provision of this Law. The Court may decide to suspend the Party if the Minister submits a request therefore. The decision to suspend the Party shall be considered cancelled if, within a period of eight days from the date of service of that decision, the Minister does not file a case requesting the dissolution of the Party.

B. The Court shall issue its final decision in any case filed pursuant to this Article within a period not exceeding sixty days of filing the case before it.

C. The Minister may deputize in writing the Chief of the Administrative Public Prosecutor, or one of his assistants, to file any case pursuant to this Article and to submit any application or defence necessitated by the case, or to request and make all necessary procedures including the presentation of evidence and arguments and services of notification.

Article 26. The Counsel of Ministers may issue regulations necessary for the implementation of the provisions of this Law.

Article 27. Political Parties Law No. (15) for the year 1955 is repealed.

Article 28. The Prime Minister and the Ministers are charged with the implementation of the provisions of this Law.



#### **4. PRESS AND PUBLICATIONS LAW, No. 10, 1993**

Article 1: This law shall be called "The Press and Publications Law for the year 1993", and shall come into force after the expiry of thirty days from the date of its publication in the Official Gazette.

Article 2: The following words and expressions wherever they occur in this Law, shall have the meanings designated thereto hereunder, unless the context indicates otherwise:

**Ministry:** The Ministry of Information

**Minister:** The Minister of Information

**Director:** The Director General of the Press and Publications Department.

**Association:** The Jordanian Journalists Association.

**Person:** Any natural or judicial person.

**Publication:** Any medium of publication in which words and figures are recorded by letters, pictures, drawings, stamping or engraving.

**Periodical Publication:** A specialised Press Publication of any kind issued at regular intervals, including the following:

A. Press Publication, including the following:

1. Daily Publication: Any Publication issued daily and continuously under a specific name, in consecutive numbers and is prepared for distribution to the public.

2. Non-daily Publication: Any Publication issued regularly once a week or at longer intervals and is prepared for distribution to the public.

B. Specialised Publication: Any Publication specialising in one or more subjects in specifically designated fields and prepared for distribution to those concerned therein or to the public as provided under the license to publish.

C. News Agency Bulletin: Any Publication prepared to provide press establishments with news, features, pictures and drawings, whether issued daily, weekly or monthly.

**Journalism:** The profession of editing and issuing press publications.

**Journalist:** Any person who meets the conditions provided for in the operative Jordanian Journalists Association Law and adopts Journalism as his/her profession in accordance with the provisions of said Law.

**Printing Press:** The machinery used in producing publications of different types and forms. This definition, however, does not include printers, typewriters, duplicators, and photo-copiers.

**Book shop:** Any commercial shop licensed to sell books, writing devices, newspapers, magazines and other publications.

**Publishing House:** Any establishment that undertakes the preparation, production and selling of publications.

**Distribution House:** Any establishment that undertakes the distribution or sale of publications.

**Publicity and Advertising Office:** Any office engaged in commercial advertising and publicity, the production, publishing or broadcasting of materials in the information media.

**Studies and Research House:** Any establishment that conducts studies and researches and offers consultancies in the social, cultural, economic, humanitarian and other fields.

**Public Opinion Measurement House:** Any establishment that conducts field studies with the view of exploring public opinion trends regarding a specific subject through questionnaires or lawful means of investigation.

**Translation House:** Any establishment undertaking translation from one language to another, including simultaneous translation.

Article 3: The press and printing professions shall be free and freedom of opinion shall be guaranteed for every Jordanian, who may express his/her opinion freely, in speech, writing, pictures and drawings in the media of expression and information.

Article 4: The press shall be free in exercising its function of providing news, information and commentary and shall contribute to the dissemination of thought, culture and sciences within the limits of the Law and in the framework of safeguarding public freedoms, rights and obligations and respecting the freedom and sanctity of the private lives of others.

Article 5: Freedom of press includes the following:

A. Informing citizens of events, thoughts, trends and information in the fields that concern the community at the local, Arab, Islamic and international levels.

B. Making room for citizens to express their opinions.

C. The right of access to information, news and statistics from various sources that are of interest to the citizens and of analysing, deliberating, disseminating and commenting thereon within the limits of the Law.

D. The right of the Press Publication, News Agencies, Editors and Journalists to keep the sources of information and news they gather secret, unless the Court decides otherwise when hearing criminal cases involving the security of the State, prevention of crime or realisation of justice.

E. The right of citizens, political parties, cultural and social organisations, and associations to own and publish press publications in accordance with the provisions of this Law.

Article 6: Any person, including political parties, shall have the right to own and publish press publications in accordance with the provisions of this Law.

Article 7: The official authorities shall facilitate the task of journalists and researchers of getting apprised of the programs and projects thereof.

Article 8: Publications shall refrain from publishing anything that contradicts the principles of freedom, national obligation, human rights, and respect of truth and values of the Arab-Islamic Ummah (Nation) and shall regard the freedom of thought, opinion, expression and access to information as a right for all citizens as much as it is a right for themselves.

Article 9: Journalists and other workers in the press shall fully adhere to the morals and ethics of the profession, including the following:

A. Respecting the rights and constitutional freedoms of individuals and not infringing upon the sanctity of their private lives.

B. Presenting journalistic material in an objective, integrated and balanced way.

- C. Adhering to accuracy, honesty and impartiality in commenting on news and events.
  - D. Refraining from publishing anything that would sanction violence, fanaticism and hatred or call to racialism and sectarianism.
  - E. Refraining from the utilisation of journalistic material to promote a commercial product or lessen its value.
- Article 10: A periodical Publication shall depend for its resources on lawful, declared and specified sources and shall be prohibited from receiving any material support or directives from any foreign state or external authority.
- Article 11: The publisher of any Periodical Publication shall provide the Director with a copy of its annual budget, together with the statements relevant to its resources, sources of financing and financial position.
- Article 12: Journalists and other workers in the press shall be prohibited from establishing any working relationship with any foreign body, unless such relationship is established under the Ordinance of Correspondents of Foreign Media issued in accordance with the provisions of this Law.
- Article 13: 1. Every journalistic publication shall have a responsible Chief Editor, who shall meet the following conditions:
- A. to be a Journalist
  - B. to be proficient in reading and writing the language of the Periodical Publication for which he/she shall work as responsible Chief Editor. If the Publication is published in more than one language, he/she shall be proficient to the same degree in the main language of the Periodical and be sufficiently knowledgeable in the other languages.
  - C. not to be a responsible Chief Editor for more than one Periodical Publication.
  - D. not to assume any other function in the Press Publication in which he/she works as a Chief Editor or in any other Publication.
  - E. not to have been convicted of a felony or misdemeanour against honour or public morals.
  - F. to be an actual resident of the Kingdom.
2. With the exception of the provisions of Items (B), (E) and (F) of this Article, the provisions of the items of the previous paragraph do not apply to the Chief Editor of a Publication issued by a political party.
- Article 14: The Chief Editor of any Publication shall be responsible for all that is published therein and the owner of the Publication and the writer of the article shall be responsible for the contents thereof.
- Article 15: A. Every Specialised Publication shall have a Chief Editor, who shall be responsible for whatever is published therein and who shall meet the following conditions:
- 1. to be a Jordanian.
  - 2. not to have been convicted of a felony or misdemeanour against honour or public morals.
  - 3. to have acquired an educational qualification related to the subject of the specialisation of the Publication, or to have had accumulated such experience in the subject thereof that qualifies him/her to work in the Publication.
- B. A non-Journalist may become a responsible Chief Editor of a Specialised

Publication, the subjects of which are among the fields of his/her specialisation.

Article 16: A Publishing House, Studies and Research House, Public Opinion Measurement House, Translation House, Publicity and Advertising Office, Printing Press, Distribution House and Bookshop shall each have a responsible manager who shall meet the following conditions:

1. to be a Jordanian.
2. not to have been convicted of a felony or misdemeanour against honour or public morals.
3. to have acquired accumulated the following educational qualifications and practical experiences:

A. be a holder of at least a first university degree and have suitable experience, to be assessed by the Minister, in the field in which he/she will be working after acquiring the said academic qualification if he/she is to be appointed as a responsible manager of a Research and Studies House, or a Public Opinion Measurement House.

B. be a holder of the General Secondary School Certificate at least, and have suitable experience, to be assessed by the Minister, in the field in which he/she will be working after acquiring the said academic qualification if he/she is to be appointed as a responsible manager of a Publishing House, Distribution House, Printing Press, Bookshop, Translation House or Publicity and Advertising Office.

Article 17: No person shall be a responsible manager of more than one of the establishments mentioned in Article 16 of this Law.

Article 18. The owner of a Periodical Publication shall meet the following conditions:

- A. be of Jordanian nationality and resident in the Kingdom.
- B. not to be convicted of a felony or misdemeanour against honour of public morals.

Article 19: A. A license to issue a Press Publication shall be granted to the following bodies:

1. A Journalist as defined in this Law who shall also meet the conditions provided for therein.
  2. A press company established and registered for the purposes of issuing press publications. Non-Jordanians may not be partners or hold shares in a press company.
  3. A political party.
- B. The Council of Ministers may, upon the recommendation of the Minister, grant a license to issue bulletins to the following bodies:
1. A Jordanian News Agency.
  2. A foreign News Agency provided subject to reciprocity and provided the bulletin's responsible Chief Editor is a (Jordanian) Journalist.
- C. The Government or any official public institution may not be licensed to issue any political Press Publication, daily or otherwise.
- D. As of the coming into force of the provisions of this Law, the total participation or equity held by the Government and official public institutions and their funds may not exceed 30 percent of the capital of any press company or establishment; if the total of their said participation or equity exceeds the said percentage when the provisions

of this Law shall come into force, the said bodies shall reconcile their position with the provisions of this paragraph by redistributing the 30 percent among those bodies, each according to the ratio of its participation or share holding in the capital of the press company or establishment. The surplus shall be offered for public subscription by the controller of Companies in the Ministry of Trade & Industry for the period he/she deems appropriate.

E. The provisions of Paragraph (D) of this Article shall apply to any of the bodies mentioned therein if such body is the only partner or shareholder in the press company or establishment and the percentage of its participation or share holding exceeds 30 percent when this Law comes into force.

F. The Council of Ministers may extend the period stated in paragraph (D) of this Article by not more than an equal period or by periods which total does not exceed the said period.

Article 20: Application for a license to issue a Press Publication shall be submitted to the Minister, the Council of Ministers, upon the recommendation of the Minister, shall decide on the application within a period not exceeding thirty days from the date of submission thereof. The Council's decision to reject the application shall be substantiated and subject to appeal before the High Court of Justice.

Article 21. Application for a license to issue a Press Publication shall include the following:

A. The name, place of domicile and address of the applicant.

B. The name and place of issuance and printing of the Publication.

C. The dates of issuance and whether it is a daily, weekly, bi-monthly or quarterly, etc.

D. The specialisation and whether it is political, literary, economic etc.

E. The language in which it shall be issued.

F. The name, age, place of domicile, address and academic qualification and experiences of the responsible Chief Editor.

Article 22: Application for a license to issue a Specialised Publication shall be submitted to the Director. The Minister, upon the recommendation of the Director, shall decide on the application within a period not exceeding thirty days from the date of submission thereof. The Minister's decision to reject the application shall be substantiated and subject to appeal before the High Court of Justice.

Article 23: A. Application for a license to establish a Printing Press, Publishing House, Distribution House, Studies and Research House, Public Opinion Measurement House, Translation House, or Publicity and Advertising Office, shall be submitted to the Director on the form especially prepared for this purpose and the Minister, upon the recommendation of the Director, shall decide on the application within a period not exceeding thirty days from the date of submission thereof. The Minister's decision to reject the application shall be substantiated and subject to appeal before the High Court of Justice.

B. Statements and procedures pertaining to applying for the license mentioned in Paragraph (A) of this Article, including effecting any change or amendment to the content of the license and procedures for

assignment thereof shall be determined by virtue of an ordinance issued in accordance with this Law.

Article 24: A. To be granted a license, a daily Press Publication shall be subject to the proviso that its registered capital shall not be less than (50,000) fifty thousand dinars and its paid-up amount shall not be less than 50 percent thereof.

B. To be granted a license, a non-daily Press Publication shall be subject to the proviso that its registered capital shall not be less than (15,000) fifteen thousands dinars and its paid-up amount shall not be less than 50 percent thereof.

C. Daily or non-daily press publications which a political party wishes to issue shall be exempted from the minimum capital requirement provided for in paragraphs (A) and (B) of this Article.

Article 25: The owner of the Press Publication shall print prominently and clearly therein his/her name, the name of the responsible Chief Editor, the place and date of issuance thereof, the subscription rate thereto and the name of the Printing Press in which it is printed; furthermore, he/she shall notify the Director of any change in, or amendment to the contents of the license within (30) days of the date of occurrence of the said change or amendment.

Article 26: Except for press publications issued by political parties, the license for issuing a Publication shall be revoked by force of Law in any of the following cases:

A. If the Press Publication is not issued within six months of the date of obtaining the license.

B. If the press publication ceases to appear for the period indicated hereunder without a lawful excuse acceptable to the Minister:

1. The Daily Publication: for a period of three consecutive months.

2. The non-daily publications issued regularly once a week: for twelve consecutive issues.

3. The non-Daily Publication issued regularly at intervals longer than one week: for four consecutive issues.

Article 27: Subject to the conditions prescribed in this Law, the license for issuing a Press Publication shall be granted to the owner of the Press Publication, who may assign all or part of the title thereof to others, provided to consider the following conditions:

A. That thirty days before the date designated for the assignment, the assignor notifies the Director of his/her wish to so assign.

B. That the assignee meets the conditions prescribed in this Law permitting him/her to own the Publication or any part thereof.

C. That within (30) days prior to the date designated for the assignment, the assignee submits an application to the Director expressing his/her wish to accept the assignment.

D. That the assignment be conducted at the Ministry in accordance with the procedures designated by the Minister in special regulations which he/she shall issue for this purpose.

Article 28: If the Press Publication publishes an inaccurate news item or article containing incorrect information, the person concerned with the news item or article shall be entitled to reply to the news item or article or to

request that such be corrected; the responsible Chief Editor shall publish the reply or correction free of charge in the issue following the date of receipt of the reply and in the same place and letter fount with which the news item or article was published in the Press Publication.

- Article 29: If the Press Publication publishes an inaccurate news item or article containing incorrect information related to the public interest, the responsible Chief Editor shall publish free of charge the written reply or correction which he/she receives from the authority or from the Director in the issue following the date of receipt of said reply or correction and in the same place, and letter fount in which the news item or article was published in the Press Publication.
- Article 30: The provisions of Articles (28) and (29) of this Law shall apply to any Press Publication issued abroad and distributed within the Kingdom.
- Article 31: The responsible Chief Editor of a Press Publication may decline from publishing the reply or correction he/she receives by virtue of Articles (28) and (29) of this Law in any of the following cases:
- A. If, before receipt of the reply or correction, the Press Publication corrects the news item or article scrupulously and adequately.
  - B. If the reply or correction is signed by a false name or is written in a language other than that used in writing the said news item or article.
  - C. If the content of the reply or correction violates the Law or public order or is contrary to public morals.
  - D. If the reply is received after the expiry of at least two months from the Publication of the news item or article to which it responds.
- Article 32: If the body responsible for any Publication issued abroad and distributed within the Kingdom declines from publishing the reply or correction in accordance with the provisions of Articles (30) of this law, the Director may ban the entry of the Publication into the Kingdom permanently or for any period of time he deems fit.
- Article 33: Every Publication shall contain the name and address of both its author and publisher, the name of the Printing Press in which was printed, and the date of printing.
- Article 34: The responsible Chief Editor shall not publish any article to anyone under a false name unless the writer provides him/her with his/her (the writer's) real name.
- Article 35: The name of any Press Publication previously issued and subsequently ceased to appear shall not be used for a new Press Publication until the elapse of a period of at least five years of discontinuance or unless those concerned or their heirs assign that name to others before the expiry of the said period.
- Article 36: The owner of a Press Publication shall keep regular accounts in accordance with proper auditing principles and the Director may at any time inspect and audit all the statements and accounts related to the Publication and verify the compliance of the owner with the financial restraints provided for in this Law.
- Article 37: The owner of a printing house or the responsible manager thereof shall comply with the following:

- A: Keeping a register in which he/she shall record serially the titles, authors and number of copies printed of every Publication and producing the said register to the Director or whomever he/she authorises therewith.
  - B. Depositing with the Press and Publications department two copies of every non-Periodical Publication printed in his/her Printing Press before distribution thereof.
- Article 38: Anyone wishing to print a book in the Kingdom shall submit two copies of his manuscript to the Press and Publications Department before commencing the printing. The Director may permit the printing or deny it if the Publication contains material prohibited by law, in which case he/she shall notify the author of the denial decision within fourteen days of the date of submission and the author may object to the said decision before the High Court of Justice.
- Article 39: The owner of each of the Bookshop, Publishing House, or Distribution House, shall submit to the Director a copy of each Publication he imports before its distribution or sale thereof and the Director may refuse to issue the permit and ban the entry of the Publication into the Kingdom if he thinks that its circulation will harm the public interest. The owner of the concerned Bookshop, Distribution House or Publishing House, may object against the Director's decision before the High Court of Justice.
- Article 40: A. Publications shall be prohibited from publishing the following:
1. News which offends the King or the Royal Family.
  2. Any information about the number, weapons, equipment, deployment or movements of the Jordanian Armed Forces, unless such publication is sanctioned by a responsible authority of the Jordanian Armed Forces, or any news item, drawing or comment which offends the Armed Forces or the security organs
  3. Articles or materials which contain contempt to any religion or sect whose freedom is guaranteed by the Constitution.
  4. Articles which damage national unity, instigate the commitment of crimes, or encourage rancor, or ferment hatred, discord and disharmony among members of the society.
  5. Minutes of closed sessions of Parliament.
  6. Articles or news which are intended to shake confidence in the national currency.
  7. Articles or information which contain a personal insult to the Heads of State of Arab, Islamic or friendly countries, or the chiefs and members of diplomatic missions accredited in the Kingdom.
  8. Articles or news which may offend the dignity or personal freedoms of individuals or damage their reputation.
  9. News, reports, dispatches articles and drawings which are contrary to public morals and ethics.
  10. Advertisements promoting medicines and medical products, unless such publication is approved in advance by the Ministry of Health.
- B. Entry of publications from abroad shall be banned if such publications contain material prohibited by virtue of the provisions of this Law.
- Article 41: The provisions of this Law related to publications whose import is prohibited shall not apply to the imports thereof by Government



institutions, universities and centres of scientific research, provided that the Director's approval of such imports is obtained in advance.

Article 42. The publication of the proceedings of any case pending before the Courts prior to the pronouncement of a final rulings shall be prohibited, unless the Court sanctions publication.

Article 43. If any Publication published journalistic investigations or news items related to any person or body for which charges have been paid, the Publication shall be bound to clearly and explicitly indicate that such material is advertising material.

Article 44: Any owner, Chief Editor, Managing Editor, Editor, correspondent of any Press Publication, as well as writers who usually write therein, shall be prohibited from receiving or accepting any assistance or financial gift from any local or foreign body by virtue of his/her ownership of the Publication or function therein, or profession, or because of such considerations, or in the context of exercising these functions or his/her links with the Publication, or for its own sake, except with the Minister's approval.

Article 45: The owner of any printing house and its responsible manager shall be prohibited from printing any Publication whose printing, publishing, distribution, circulation or sale has been banned, or printing any Publication whose issuance has not been licensed, or whose publishing has been forbidden.

Article 46: A. The Court of First Instance shall have jurisdiction to hear all crimes committed contrary to the provisions of this Law, and the Public Prosecutor shall undertake the investigation thereof and issue the appropriate decisions thereon in accordance with the powers and procedures provided for in the applicable Law of Criminal Court Procedures and the Panel Law.

B. The public right action at law in respect of crimes provided for in this Law and related to periodical publications shall be instituted against the Publication's responsible Chief Editor and the writer of the article as original offenders; the owner of the press publications shall be jointly liable with them for the personal rights arising from such crimes and for the trial costs and he/she shall not be subject to criminal liability unless his/her actual participation or involvement in the crime has been established.

C. The public right action at law in respect of crimes provided for in this Law and related to non-periodical publications shall be instituted against the author as original offender and the publisher as his/her accomplice; if the Publication's author or publisher is unknown, the owner and manager of the Printing Press shall both be tried in the criminal case.

D. Owners of printing presses, bookshops, publishing houses and distribution houses shall be jointly liable for the personal rights and trial costs ordered against their employees in cases related to publications to which the provisions of this law apply.

Article 47: A. The Court which pronounces the judgement may order the person adjudged guilty to publish the complete final judgement or a summary thereof free of charge in the first issue of the Periodical Publication issued after the judgement is served and in the same place and letter

fount in which the article subject to the complaint has been published; the Court may, if it deems it necessary, order the publication of the judgement or its summary in two other newspapers at the expense of the person adjudged guilty.

B. If the person adjudged guilty violates the provisions of Paragraph (A) of this Article, he/she shall be punished with a fine of not less than (500) five hundred dinars and not more than (1500) one thousand five hundred dinars, and the publication at his/her expense of the judgement which he/she refrained from publishing.

Article 48: If the responsible Chief Editor of a Press Publication violates the provisions of either of Articles (28) and (29) of this Law, he/she shall be punished with a fine of not less than (500) five hundred dinars and not more than (1500) one thousand five hundred dinars, in pursuance of a complaint by the harmed person.

Article 49: A. If any of those mentioned in Article (44) of this Law violates any of its provisions, he/she shall be punished with imprisonment for a period of not less than four months and not more than six months, or with a fine of not less than (4000) four thousand dinars and not more than (6000) six thousand dinars, or with both penalties. If, however, the owner of the Publication is a corporate body, it shall be punished with a fine of (6000) six thousand dinars.

B. The Court shall decide to regain any amount paid to the person adjudged guilty or others for the benefit of the State Treasury.

Article 50: If the owner of the printing house violates the provisions of Article (45) of this Law, he/she shall be punished with a fine of not less than (500) five hundred dinars and not more than (2000) two thousand dinars. If, however, the owner of Printing Press is a corporate body, it shall be punished with a fine of not less than (2000) two thousand dinars

Article 51: If any party commits any other violation of the provisions of this Law not aforementioned, shall be punished with a fine not exceeding (1000) one thousands dinars.

Article 52: The Council of Ministers may issue regulations necessary for the implementation of the provisions of this Law, including regulations related to reconciling with the provisions of this Law the positions of printing houses, bookshops, publishing houses, distribution houses, advertising and publicity offices, studies and research houses, public opinion measurement houses, and translation bureaus, as well as the positions of correspondents of foreign information media, the revenues and tariffs of external and internal advertisements in the press and specialised publications and the ratio of the space therein allocated for advertisements.

Article 53: The Press and Publications Law Number (33) for the Year 1973 and its amendments shall be repealed.

Article 54: The Prime Minister and the Ministers shall be adhered to execute the provisions of this Law.

## **5. THE 1986 ELECTION LAW No. 22, TO THE HOUSE OF DEPUTIES**

### **Chapter One: Definitions**

**Article 1:** This law shall be called "Law of Election to the House of Deputies for the Year 1986", and shall become effective as of the date of its publication in the Official Gazette.

**Article 2:** The following words and expressions, wherever they appear in this Law, shall have the meanings ascribed to them hereunder, unless the context indicates otherwise:

**Jordanian:** Every person, male or female, who has acquired Jordanian nationality in accordance with the provisions of the Law of Jordanian Nationality.

**Elector:** Every Jordanian who has the right to elect members to the House of Deputies.

**Voter:** Every Elector who exercises his right to elect.

**Candidate:** Every Jordanian whose application for candidature in parliamentary elections has been accepted in accordance with this Law.

**Deputy:** Every Jordanian who has been elected to membership of the House of Deputies.

**Administrative Governor:** The Governor of the relevant Governorate, the *Mutasarref* of the relevant District, and the Administrative Director of the relevant District, and the Administrative Director of the relevant Sub-district, each within the area of his competence.

**Constituency:** Every part of the Kingdom for which a seat or more in the House of Deputies has been designated in accordance with the provisions of this Law.

**Electoral Sub-district:** Every part of the Constituency for which one or more Ballot Centres has been designated.

**Polling Centre:** The location designated by the Administrative Governor within his Constituency for conducting the voting process.

**Revision Committee:** The committee formed in every Constituency, headed by the Administrative Governor, with the membership of a judge and a registrar in the Department of Civil Status.

**Central Committee:** The committee formed in every Constituency in accordance with the provisions of this Law.

**Personal Election Card:** The Personal Election Card of the Elector which is issued by the Minister of the Interior in accordance with the provisions of this Law.

### **Chapter Two: The Right to Vote**

**Article 3:** A. Every Jordanian, who has completed 19 Solar years of his age has the right to elect members of the House of Deputies if his name is registered in one of the final Electoral Lists.

B. The right to vote shall be denied to:

1. Anyone who has been sentenced to a prison term exceeding one year for a non-political crime and has not been pardoned.
  2. Anyone who has been declared bankrupt and has not been rehabilitated
  3. Anyone who has been interdicted for his person and the interdiction has not been lifted, or for any other reason and the interdiction has not been lifted.
- Article 4: An Elector may not exercise his right to vote in a Polling Centre other than the one in which his name is registered; furthermore, he may not exercise this right more than once in any one election.
- Article 5: The right to vote is denied to members of the Jordanian Armed Forces, Public Security and Civil Defence throughout their actual service.

### **Chapter Three: Electoral Lists**

- Article 6: Electoral Lists shall be compiled for every Constituency, in which are included names of Electors, who belong to that Constituency or reside habitually therein, no Elector may register in more than one Electoral List.
- Article 7: A. The Electoral Lists shall be compiled by one or more committees appointed by the Administrative Governor for every city, town, village or neighbourhood in his Constituency; this Committee shall be called the "Committee for the Compilation of Electoral Lists" and shall be formed of a Chairman and two members, all of whom shall be Government employees.
- B. The Committee or Committees provided for in Paragraph (A) of this Article shall compile Electoral Lists of Electors in accordance with the regulations, procedures and dates designated by the Minister of the Interior within the provisions of this Law.
- Article 8: The Family Book, issued by the Department of Civil Status, and nothing else, shall be used to register whomever has the right to vote in the Electoral Lists; a mark shall be inscribed in the Family Book containing an indication of the registration of the Elector in the List designated for the Constituency in which he resides.
- Article 9: A. The Electoral List shall contain the complete identity of the Elector as it is entered in the Family Book, including his name, place and date of birth, religion, occupation, place of residence, and the number and the place and date of issue of the Family Book.
- B. The Committee for the Compilation of Electoral Lists shall prepare the Electoral List in three copies, which it shall submit duly signed by it to the Administrative Governor within fifteen days of the date of the formation of the Committee. The Administrative Governor shall sign the afore-mentioned copies and shall keep one of them. None of these copies may be modified, except as related to correction in accordance with the provisions issued therefore in accordance with the provisions of this Law. The two other copies shall be displayed within three days from the date of submission of the copies of Electoral Lists to him, one in a prominent place at the Administrative Governor's Office, and the other in a prominent place in the relevant neighbourhood or village to be

designated by the Administrative Governor. The display shall continue for ten days. The Mukhtar, or the authority entrusted with the display, shall present a record duly signed by him and by the Optional Panel proving that the List has been displayed in the described manner.

- C. Anyone whose name was unjustly excluded from the Electoral List, or in whose record data an error occurred, may request that his name be included or that his data be corrected; furthermore, he may object to the inclusion of someone else who does not have the right to vote, or to the omission of the names of those who have such right. The objection shall be submitted in writing, exempt from stamps, to the Revision Committee, formed in accordance with this Law, within seven days of the date of the announcement of the Lists.
- D. The Revision Committee shall consider the objections submitted to it within three days of the date of submission of the objection; and its decisions shall be subject to review, exempt from any fees, by the district's Court of First Instance within five days of the date of service. The Court shall finally consider the matter within five days. The Court of First Instance shall notify the Revision Committee within three days with all the decisions it has issued.
- E. The Revision Committee shall compile final lists of all electors in the Constituency. The Administrative Governor shall adopt the measures provided for in Paragraph (B) of this Article.
- F. The final lists shall be adopted for the general parliamentary elections or the by-elections for the year up until the first half of August; the ballot process shall be conducted in accordance with these lists.

Article 10: During the first half of August of every year, the Revision Committee shall review the Electoral Lists for the Constituency that falls within its competence, perform the additions thereto and deletions therefrom relying on the data and information coming to it from the relevant official departments, and shall record the reasons for the additions and deletions in the column assigned to remarks in those Lists, provided that these data and information do not contradict the entries of the Department of Civil Status. Every person may request the Committee to register his name in the Electoral List if he satisfied the legal requirements.

Article 11: The competent courts in all the Constituencies shall provide the Revision Committee in that Constituency within the period from the 15th to the 30th of July of every year with a list containing a summary of judgements regarding bankruptcy and interdiction, as well as those imposing prison sentences exceeding one year for non-political crimes which had not been pardoned. Furthermore, the Department of Civil Status shall provide the said Committee within the afore-mentioned period with a list of persons who have completed nineteen years of their age, or those who have died during the twelve months preceding the period covered by the revision procedures of the Electoral Lists.

Article 12: Immediately after the end of the period specified pursuant to the provisions of Article (1) of the Law for the completion of its work, the Revision Committee shall display lists containing the names of Electors in the Constituency after performing the addition and deletion

proceedings thereto for a period of one week in a prominent public place designed by the Administrative Governor, and shall advertise them in the local newspapers.

- Article 13: Every person, whose name was unjustly excluded from the Lists provided for in Article (12) of this Law, or an error has been made in the data pertaining to his entry in those Lists, may submit an objection thereto to the Revision Committee within ten days of the date of their display. Furthermore, every person register in the Electoral Lists may object within the same period to the entry of any other person in those lists, who the objector thinks does not have the right to elect, or to the omission of a person, who the objector thinks has such a right.
- Article 14: The Revision Committee shall issue its decisions concerning the objections submitted to it pursuant to Article (13) of this Law within three days of the end of the objection period, and shall notify its decisions to the objectors once they are issued. The decisions shall be subject to appeal before the Court of First Instance in the Constituency within three day of the date of its notification. The Court shall rule on the objections within five days of their submission; its decisions shall be final and not subject to appeal before any other authority. The court shall notify the Chairman of the Revision Committee with its decisions within three days of the date of their issuance in order to implement them.
- Article 15: After the Electors Lists have achieved their legal status, because there were no objection against them in accordance with the provisions of Article (13) of this Law, or because the decisions on objections against them have become final in accordance with the provisions of Article (14) of this Law, the Revision Committee shall compile for every Constituency final Electors Lists of all Electors in the concerned Department. The Committee shall send a copy of these final lists to the Ministry of Interior for safekeeping.
- Article 16: The Electoral Lists compiled in final form in accordance with the provisions of Article (15) of this Law shall be adopted for the general parliamentary elections or by-elections that are conducted during any year.

#### **Chapter Four: Candidature for Membership of the House of Deputies**

- Article 17: After the King has issued his Decree to hold the elections for the House of Deputies in accordance with Paragraph (1) of Article (34) of the Constitution, the Council of Ministers shall decide to designate a date for the election, which shall be announced by the Prime Minister and published in the Official Gazette.
- Article 18: A candidate for membership in the House of Deputies must meet the following conditions:
- A. That he has been a Jordanian national for at least ten years and that he does not claim foreign nationality or protection.
  - B. That he is an Elector registered in one of the final Electors Lists.
  - C. That he has completed thirty solar years of his age on the day the Candidature period ends.

D. That he has not been sentenced to a prison term exceeding one year for a non-political crime from which he has not been pardoned, and that he has not been convicted of a moral felony of misdemeanour.

E. That he does not belong to an unlawful organisation, defined as any party or organisation whose principles, objectives and aims contradict the provisions of the Constitution.

F. That he does not have a material interest in any of the Government departments by virtue of a contract, other than contracts of land and property tenancy. This does not apply to anyone who is a shareholder in a company owned by more than ten persons.

G. That he is not a relative of the King to a degree specified by special legislation.

Article 19: Anyone may nominate himself for membership in the House of Deputies in only one Constituency.

Article 20: Employees of Government Ministries and Departments and public official organisations who draw their salaries from the Government's Treasury or public funds subject thereto or supervised thereby, as well as employees of international organisations and chairmen of municipal and rural councils, may not nominate themselves for membership in the House of Deputies, unless they have submitted their resignations from their positions at least one month prior to the date designated for the election. The concerned official department may accept or deny the resignation, but it shall be considered accepted by force of law if no decision has been taken thereon within the days of the date of submission thereof.

Article 21: Candidacy for membership in the House of Deputies shall start twenty five days before the day designated for the election and shall continue for three days; no candidacy shall be accepted after the expiry of this period.

Article 22: A. Anyone wishing to nominate himself for membership in the House of Deputies shall pay to the Treasury Director in the Constituency in which he wished to nominate himself the amount of (500) five hundred dinars which shall be entered as income for the Treasury and shall not be returnable under any circumstance.

B. The candidate shall present his candidacy application in duplicate to the Administrative Governor in the Constituency in which he wished to nominate himself; he shall attach the corroboratory documents and all the other declarations that are required in accordance with the provisions of this Law. The Administrative Governor shall give the applicant advice of receipt of the application which may be submitted on the form determined by the Minister of the Interior.

Article 23: The Administrative Governor shall verify whether the Candidate's application, documents and declarations conform with the conditions for candidacy provided in this Law; accordingly, he shall decide to approve or deny the application within a period not exceeding three days of the date of submission thereof.

Article 24: If the Administrative Governor decides to reject the candidacy application because it does not conform with the provisions of the Law, the applicant may submit an objection thereto before the Court of First Instance whose jurisdiction covers the Constituency, and within two

days of the date of receipt of notification of the Administrative Governor's decision. The Court shall finally rule upon the objection within three days of its submittal. The Administrative Governor must specify the reasons for rejection in his decision.

Article 25: The Administrative Governor shall keep a copy of the candidacy applications which he has accepted, or those accepted by a ruling of the Court of First Instance, and shall enter same in a special register in the chronological order of the date of submission. After the candidacy application have acquired final and absolute status and have been published in at least two local newspapers, the Administrative Governor shall compile a list of the names of the candidates for display in prominent public places in the relevant Constituency.

Article 26: Every Elector may appeal the acceptance of the candidacy of any candidate in his constituency before the Supreme Court of Justice within three days of the date of display of the lists of candidates provided for in Article (25) of this Law; the Court shall rule upon the appeal within five days from the date of submitting the appeal to the Court.

Article 27: Immediately after being notified thereof, the Administrative Governor shall announce any amendments to the List of Candidates made by virtue of rulings of the Supreme Court of Justice in the same manner that he announced the List of Candidates pursuant to the provisions of Article (25) of this Law: This List shall be the Final List of Candidates for the parliamentary elections.

Article 28: If the number of candidates in the Final List in any Constituency is equal to the number of parliamentary seats designated for that Constituency, these candidates shall be announced winners in the uncontested election.

Article 29: All petitions, objection and appeals submitted in accordance with this Law, as well as the rulings made thereon by courts, panels, committees and the Administrative Governor, are exempt from fees and stamps.

Article 30: Any candidate may withdraw his candidacy application before the end of official hours on the day immediately preceding the Elections Day.

## **Chapter Five: Constituencies and their Allotted Seats**

Article 31: As of the date it is decided to hold the first general election to the House of Deputies conducted after the effective date of this Law in accordance with the procedures set out therein, the Hashemite Kingdom of Jordan shall be divided into a number of Constituencies in accordance with the schedule appended to this Law and each Constituency shall be allocated the parliamentary seats specified for it therein.

## **Chapter Six: Election Procedures**

Article 32: Voting to elect the deputies shall be general, secret and on one level.

Article 33: Voting for the election of members of the House of Deputies shall be conducted on the same day for all the Constituencies. The Minister of the Interior, however, may designate a special day for every Constituency, or for any number thereof, if the safety of the election and the public interest necessitated such action.



- Article 34: A. In every Constituency, a Central Committee shall be formed headed by the Administrative Governor and having as members the Chief Judge of the Court of First Instance in the Constituency, or a Magistrate Judge in Constituencies that have no Court of First Instance, as well as a Government employee appointed by the Minister of the Interior. This Committee shall perform the function provided for in this Law.
- B. Before they carry out their work, the President and members of the Central Committee shall take an oath before the Minister of the Interior to perform their task with honesty and impartiality.
- Article 35: The Minister of the Interior shall issue a Personal Election Card to every Elector, containing a photograph of the Elector, the complete particulars of his identity taken from the Family Book issued by the Department of Civil Status, his Constituency, the Polling Centre in which he may vote, and his number in the List of Electors in the Centre. The Personal Election Card shall be valid for the period, circumstances and conditions decided by the Minister of the Interior in the Card itself, or in accordance with any instructions he may issue thereon.
- Article 36: A. Within thirty days of the date when the registration or review procedures of the electors Lists in the relevant Constituency are completed and have become final in accordance with the provisions of Articles (12) and (15) of this Law, the Administrative Governor shall issue a decision, to be published in the Official Gazette, and in any other means he deems necessary, containing the following:
1. Dividing the Constituency into Electoral Sub-districts.
  2. Designating one or more Ballot Centres for each Electoral Sub-district and specifying the number of voters in each Centre, provided that they do not exceed 700 voters in any case.
  3. Inviting the Voters registered in the Final Electors Lists to obtain, within the period he specifies in his decision, their Personal Election Card from the concerned authorities.
- B. In the decision he issues in accordance with the provisions of Paragraph (A) of this Article, the Administrative Governor shall pay deference to the number of Voters in the designated Electoral Sub-districts and the Ballot Centres he designates for each of them and the available ways and means of transportation in the Sub-district with the view of facilitating the arrival of the Voters to these centres.
- C. Electoral Sub-districts and the Ballot Centres designated in the Administrative Governor's decision issued in accordance with the provisions of Paragraph (A) of this Article, and in any subsequent amendment thereof, shall be endorsed as valid in any general parliamentary elections or by-elections conducted at any time subsequent to the publication of such decision or amendments hereof as the case may be, provided that such Electoral Sub-districts and Ballot Centres be published again when general elections or by-elections are held.
- Article 37: Any Elector may object to the Minister of the Interior against the decision issued by the Administrative Governor in accordance with the provisions of Article (36) of this Law to establish a Ballot Centre in the Electoral Sub-district in which his name is registered or to move any Ballot Centre therein, provided that such objection be submitted within three days of

the date of the publication of the said decision and that the Minister shall issue within three days of the date of submission his ruling thereon which shall be final, not subject to appeal before any administrative or judicial authority.

- Article 38: A. Supervision of each Polling Centre shall be the responsibility of a Balloting Panel, comprised of Government employees appointed by the Administrative Governor, who shall also appoint as Chairman one of them whose grade is not lower than Grade Seven. Furthermore, the Administrative Governor may appoint other employees to assist the Panel in carrying out its tasks; but, no Government employee related up to the fourth degree to one of the candidates in the Constituency may be appointed in the Balloting Panel.
- B. Before the beginning of the voting, the Chairman and the two members of the Balloting Panel shall take an oath before the Central Committee of the Constituency to perform their task with honesty, integrity and complete impartiality.
- C. If the members of the Balloting Panel, or its Chairman, or either of its two members are absent, the Administrative Governor shall immediately appoint another Balloting Panel or a replacement for its absent Chairman or member, as the case may be.
- Article 39: Voting begins on the designated day for general parliamentary elections or by-elections at 7 o'clock in the morning and ends at 7 o'clock that evening.
- Article 40: Any Candidate, or whomever he delegates in writing, may be present at any Polling Centre to observe the voting process; no Candidate, however, may have more than one delegate at the same time at any one Centre.
- Article 41: The Chairman of the Balloting Panel shall prohibit any action or attempt thereto in the Polling Centre if such action is likely to influence the freedom of the voters in casting their votes. He may also request anyone committing or attempting to commit such action to leave the Polling Centre and may ask Public Security officers to evict such person by force if he refuses to leave.
- Article 42: In spite of the provisions of this Law, the Chairman and members of the Balloting Committees, the employees charged with assisting them, the candidates and their delegates may exercise their right to vote in the polling Centre designated for them. In this case, the name of these Electors shall be compiled in an additional list in which are entered the names of those who have exercised their right in the elections in that Centre and the reason why each one of them voted in a Centre other than the one in which his name is registered.
- Article 43: A. Voting shall be carried out on papers on which the phrase "Ministry of the Interior" is printed, and are stamped with the seal of the Constituency and signed on the back by the Chairman of the Balloting Panel.
- B. Before beginning the ballot, the Balloting Panel shall ascertain the number of papers it has received. If the number is less than the required number, the Committee Chairman shall immediately request the Administrative Governor to complement the shortage of papers.

- Article 44: A. Ballot boxes shall be constructed in a unified form approved by the Minister of the Interior and every Ballot Box shall have three different locks and one slot large enough for only one Ballot Paper.
- B. Before the voting, the Chairman of the Ballot Committee shall open the Ballot Box in the presence of the present candidates or their delegates to ascertain that the box is empty. He shall then close the box with the three locks; he and each of the two Balloting Panel members shall keep one of the three keys. He also shall minute the proceedings in a record to be signed by the Committee, as well as those present who may wish to sign it.
- Article 45: Each Polling Centre shall have at least one booth, placed therein in such a manner that does not conceal from those present the voting process taking place in the Centre. Inside the booth, a list of candidates in that Constituency shall be displayed and pens shall be provided for the voters to use.
- Article 46: A. The voter shall appear before the Ballot Panel at the Polling Centre where his name is registered in the Electoral List of that Centre. After the Committee Chairman has ascertained that the Elector's name is registered in that List and verified the Elector's identify in accordance with his Personal Election Card, he shall enter a sign in the Elector's entry in the List indicating that the Elector has come to vote and hands him a Ballot Paper which he has signed and asks him to go to the Booth to exercise his right to vote. No one shall be permitted to vote unless he produces his Personal Election Card to the Balloting Panel.
- B. The Voter shall write the names of the candidates he wishes to elect on the Ballot Paper given to him by the Chairman of the Balloting Panel and shall return to the Ballot Box to deposit the Ballot Paper therein. An illiterate Voter may ask the Chairman of the Balloting Panel to write the names of the Candidates the Elector wished to elect; after having written down the names, the Chairman shall read the names out within earshot of the Balloting Panel.
- Article 47: The Balloting Panel shall immediately settle any objections submitted by the candidates or their delegates regarding the progress of the voting procedures; the Panel's decisions thereon are final.

### **Chapter Seven: Canvassing Votes and Announcing Election Returns**

- Article 48: A. Following the completion of the polling process, the Balloting Panel shall minute a record to be signed by the candidates and their delegates who are present and wish to do so; the record shall include the following:
1. The Number of registered Electors in the Electoral List in the Polling Center.
  2. The number of Electors who exercised their right to vote.
  3. The number of Ballot Papers received by the Balloting Panel.
  4. The number of Ballot Papers used in the voting, the number of those unused, and the number of those destroyed and the reason for such destruction.

- B. The record mentioned in Paragraph (A) of this Article, together with the unused Ballot Papers, shall be placed atop the upper side of the Ballot Box and wrapped therewith with a piece of cloth sealed with a knot to be stamped with the seal of the Balloting Panel.
- C. The Balloting Panel shall transport the Ballot Box with the its three keys, as well as the Panel's seal and the Electoral List, to the Constituency Headquarters, where it shall deliver same to the Central Committee against an official receipt thereof signed by the Central Committee Chairman.

Article 49: A. The canvassing of votes shall be conducted under the supervision of the Constituency's Central Committee, which may form sub-committees to assist it in its tasks, including the canvassing of the votes, provided that each sub-committee be formed under the chairmanship of a civil or a shari'ite judge, or a government employee whose grade is not lower than Grade Two, with two other employees as members.

B. The Central Committee shall appoint two or more clerks for each canvassing sub-committee to assist them in counting the votes which each of the Candidates receives.

C. Before they carry out their task, the Chairman and members of the Canvassing Sub-committees, as well as the clerks, shall take an oath before the Central Committee to perform their task with honesty and impartiality. Any candidate or whoever represents him by virtue of a written letter endorsed by the Administrative Governor has the right to attend and observe the canvassing process; no one else may exercise this right.

Article 50: The Chairman of the Canvassing Sub-committee shall open the Ballot Box in the presence of its two members and in front of the candidates or their delegates who are present. If any or all of the three keys to the Box are lost, the chairman of the Committee shall take the necessary measures to open the Box in the manner or means that he deems necessary. After the Ballot Papers in the box have been counted by the Committee, the Chairman, or one of the Committee members, shall start to read the names written thereon loud enough to be heard by those present, and in such a manner that permits them to see the Ballot Papers when they are being read. The Canvassing Committee shall supervise the entering of the votes which each candidate receives in two separate lists which shall be signed by the Committee Chairman and its two members.

Article 51: If, after the votes in any Ballot Box have been canvassed, the number of Ballot Papers therein is more or less by more than 5 percent than the number of voters for the Box, the ballot for that Box shall be considered null and void and the voting shall be repeated the next day or the day after that in accordance with the Administrative Governor's decision.

Article 52: A. If any Ballot Paper contains a number of candidate names exceeding the number of deputies to be elected, the excess of names shall be omitted from the bottom of the paper for every category of the Constituency's deputies, and the rest of the names shall be taken. But, if the number of candidates in the Ballot Paper is less than the number of deputies to be elected, then the names therein shall be taken.

B. If the Ballot Paper contains the name of a person who is not a candidate, this name shall be omitted therefrom, and the other names shall be taken. If, however, the name of a candidate is repeated, his name shall be taken only once and the repetitions thereof shall be omitted from the Ballot Paper.

C. If the name of any candidate in the Ballot Paper is not clearly readable, but the paper contains enough presumptions to indicate it and prevent any confusion, then the name shall be considered as that of the candidate.

Article 53: A. In deference to the other cases in which the Ballot Paper is deemed null and void in accordance with the provisions of this Law, a Ballot Paper is considered null and void and does not enter in the count of votes in any of the following cases:

1. If the paper was not stamped with the seal of the Ministry of Interior and the seal of the Constituency and was not signed by the Chairman of the Balloting Panel.

2. If it was not possible to read any of the names of candidates therein.

3. If it contained insulting expressions.

B. The invalid Ballot Papers shall be added to the minutes of the Canvassing Sub-committee and signed by the Committee members who shall write on every paper the reason(s) for its invalidity.

Article 54: The Central Committee shall settle the objections submitted during the vote canvassing procedure and shall issue thereon the decisions it deems appropriate and as soon as necessary for the canvassing procedure.

Article 55: A. At the conclusion of canvassing the votes, every canvassing sub-committee shall minute a record in duplicate, signed by its Chairman and the two members and containing the following:

1. The number of Electors registered in the Polling Centre.

2. The number of those who actually voted.

3. The number of votes received by each Candidate.

4. The number of papers used in the election, the number of unused papers, and the number of destroyed papers and the reason for the destruction thereof.

5. The number of Ballot Papers which the Canvassing Committee decides neither to accept nor to reject.

B. To the record provided for in Paragraph (A) of this Article shall be attached the Electors Lists on which are marked the names of those who actually voted, as well as the papers used and unused in the canvassing procedure. These shall all be immediately handed over to the Central Committee.

Article 56: The Central Committee shall count the votes received by each Candidate and announce the results openly in the presence of the candidates or their delegates. It shall, further more minute the results in a record a copy of which, together with all the Committee's decisions and the papers related to the election shall be sent to the Ministry of Interior for safekeeping for at least six months.

Article 57: The Candidate who receives the largest number of votes shall be deemed the winner of the Election. If two or more Candidates for the same seat receive the same number of votes, then the Election between or among

them, as the case may be shall be repeated on the day designated by the Minister of Interior, provided that this election shall take place not later than seven days from the date of the Election.

Article 58: Results of the General Election, as minuted in the records of the Central Committees of the Constituencies, shall be announced by the Minister of Interior not later than two days of the arrival of said records to the Ministry of Interior. The Minister of Interior shall issue an "Election Certificate" to every person who has been elected member in the House of Deputies and shall publish same in the Official Gazette.

Article 59: Every Deputy may appeal the validity of electing any person to the House of Deputies and submit the appeal to the General Secretariat of the House within fifteen days from the date of announcing the election results in his Constituency including the grounds of law upon which his appeal is based.

## **Chapter Eight: Elections Publicity**

Article 60: A. According to the provisions of this Law, Election publicity shall be free and every Candidate may resort thereto from the date of the beginning of the candidature period until the day immediately preceding the day designated for the Election, on which any kind of Elections Publicity is prohibited and subject to the penalties provided for in this Law.

B. The organisation and convening of Electoral meetings and the delivery of electoral speeches is prohibited in places of worship, institutions of learning and buildings occupied by Government ministries and departments and official public institutions or those under the supervision of the Government.

Article 61: A. Candidates may publish advertisements and publications containing their objectives, as well as statements related to their plans and courses of action, provided that they bear the Candidate's explicit name. Such advertisements, publications and statements are exempt from fees.

B. The official Government Emblem may not be used in election meetings, advertisements and publications and in all other types of writings, drawings and pictures used for the purposes of election publicity. Furthermore, the use of loud speakers in transport vehicles is prohibited in election publicity.

Article 62: The publication or posting of any placard, sign or election tract, including pictures, drawings and writings on walls and other places, is prohibited. Places for such placards, signs or tracts shall be designated by the municipal and rural councils in the cities, towns and villages. The local municipal authorities may at any time remove any violation of this ban at the expense of the relevant Candidate without any warning.

Article 63: Speeches, publications, advertisements, and other election publicity vehicles, issued or made by the candidate, may not include, directly or indirectly, any insinuation or slander of any candidate, or agitate sectarian, tribal or regional bias among the various groups of citizens.

Article 64: Employees of the Government, official public institutions and local authorities are prohibited from making election publicity for the benefit of any candidate.

Article 65: In their election publicity campaigns, Candidates are prohibited from presenting gifts, contributions or monetary or in-kind assistance, or any other benefits, or from promising to provide same to a natural or juridical person, be that directly or through others, with the purpose of influencing the voting; furthermore, anyone is prohibited from soliciting such gifts, contributions, or assistance, or the promise thereof from any Candidate.

## **Chapter Nine: Election Crimes**

Article 66: A Court of First Instance shall punish with a prison term of not less than three months and not more than one year, or a penalty of not less than two hundred dinars and not more than five hundred dinars, or both penalties, anyone convicted with any of the following acts:

- A. assuming the personality or name of another person with the intent of voting in the election.
- B. exercising his right to vote more than once.
- C. carrying a firearm or any other type of weapon or an instrument perilous to public security and safety in any Polling Centre on the election day.
- D. entering by force the Polling or Canvassing Centre to influence or delay the election procedures or to come up with wrongdoing against any of the officials in charge of the election.
- E. influencing the freedom of the election or hindering the election procedures in any way whatsoever.
- F. tampering with any of the Ballot Boxes of Electoral Lists or papers prepared for voting, or stealing or destroying any of these lists or papers, or committing any act with the intention of affecting the integrity and secrecy of the election procedures. In this case he shall be served with the maximum punishment provided in this Article.
- G. committing any of the prohibited acts provided for in Articles 60, 61, 62, 63, 64, and 65 of this Law.

Article 67: Anyone who seizes or tries to seize a Ballot Box before the Polling Papers therein have been canvassed shall be punished with hard labour for a period of not less than five years and not more than ten years and with a penalty of not less than one thousand dinars and not more than five thousand dinars. Anyone who intervenes in carrying out this crime or instigates or assists in the perpetration thereof shall be served with the same punishment.

Article 68: If any committee member appointed to compile or review the Electoral Lists, or to conduct the voting and canvassing procedures, or to count the votes; or any employee entrusted with supervising any of these procedures in accordance with the provisions of this Law, committed any of the following acts, he shall be punished by imprisonment for not less than one year and not more than three years, or by a penalty of not less than five hundred dinars and not more than one thousand dinars, or by both penalties:

- A. Deliberately entering in any Electoral List the name of a person who does not enjoy the right to vote in accordance with the provisions of this Law,

or deliberately omitting from or not entering in such Lists the name of any person who enjoys the right to register therein as a voter in accordance with same provisions.

- B. Knowingly made a false statement in the application or announcement of candidacy, or in any of the statements therein, or in the date of the submission thereof, or in any of the records minuted in accordance with the provisions of this Law, or in the submitted objection to the Electoral Lists, or in any other document drawn in accordance with the provisions of this Law.
- C. Unjustly seized or hid any of the documents pertaining to the election, or committed any forgery therein, including the destruction, tearing or smearing thereof.
- D. Delayed without ground of law the time designated for the beginning of the voting procedures, or stopped without justification the said procedures before the time designated in accordance with the provisions of this Law, or lingered in any procedure thereof with the intent of hindering or delaying same.
- E. Failed to open the Ballot Box in the presence of the candidates or their delegates before beginning the voting process to make sure that it is empty.
- F. Refrained from implementing any provision of this Law pertaining to the processes and procedures of voting and vote canvassing, or violated that provision with the intent of influencing the result of the election.

Article 69: Any attempt to commit any of the election crimes laid down under this Law, as well as the penalty therefor, shall be punishable in accordance with the provisions of the effective Penal Law in light of the penalty specified therefor in this Law..

Article 70: The perpetrator of any violation of the provisions of this Law for which no penalty has been provided shall be punished by imprisonment for a period of not less than a month and not more than three months, or with a penalty of not less than fifty dinars and nor more than 200 dinars, or with both penalties.

Article 71: All election crimes provided for in this Law shall abate by prescription after the lapse of six months from the date of announcing the election results.

Article 72: The Council of Ministers may issue the regulations necessary for the implementation of the provisions of this Law.

Article 73: The Minister of Interior may issue the instructions necessary for the implementation of the provisions of this Law and the regulations issued in accordance therewith, provided that such instructions do not violate the provisions of the Law or the Regulations in any shape or form.

Article 74: The Law of Election to the House of Deputies No. (24) for the year 1960, as well as the amendments thereto and the regulations issued in accordance therewith are replead; the procedures in accordance with which the members of the House of Deputies existing when this Law is issued shall, however, remain valid and legal until the term of that House expires for any reason whatsoever.

Article 75: The Prime Minister and the Ministers are charged with the implementation of the provisions of this Law.



**LIST OF CONSTITUENCIES AND THE SEATS ALLOCATED TO EACH**  
**CONSTITUENCY IN THE HOUSE OF DEPUTIES**

Article 1: In confirmation of the intended objectives of Article (31) of the Law of Election to the House of Deputies, the Constituencies in the Kingdom shall be designated as set forth in this List.

Article 2: The provisions of the applicable Administrative Divisions Regulation shall be used in determining the area(s) included in every Constituency:

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No.	GOVERNORATES	DISTRIBUTION OF SEATS			
		M	C	CI	Total
<b>1</b>	<b>AMMAN</b>				
1.1	City of Amman	5	1	1	7
1.2	Al-Assima governorate (Except City of Amman Area (A) and (B))	3			3
1.3	Wadi al-Seer District	1		1	2
1.4	Sahab, Muwaqqar and Jaza District (except the Central Bedouins)	1			1
1.5	Na'our District	1			1
1.6	Madaba District	1	1		2
1.7	Dhiban district	1			1
1.8	Al-Wihdat Camp in Amman	1			1
1.9	Jabal al-Hussein Camp in Amman	1			1
1.10	Al-Mahatta Camp	1			1
1.11	Talbiyya Camp	1			1
<b>2</b>	<b>JERUSALEM</b>				
2.1	Jerusalem City with Jericho District	6	4		10
2.2	Ramallah District	6	2		8
2.3	Bethlehem District	4	4		8
<b>3</b>	<b>IRBID</b>				
3.1	Irbid Governorate	7	1		8
3.2	Irbid Camp	1			1
3.3	Al-Husn Camp	1			1
3.4	Ajloun District	2	1		3
3.5	Jerash District	2			2
3.6	Jerash Camp	1			1
3.7	Souf Camp	1			1
3.8	Ramtha District	1			1
3.9	North Ghor District	1			1
3.10	Koura District	1			1
3.11	Bani Kinanah District	2			2
<b>4</b>	<b>NABLUS</b>				
4.1	Nablus City and District	12			12
4.2	Jenin District	6			6
4.3	Tulkarm District	6			6
<b>5</b>	<b>HEBRON</b>	<b>10</b>			<b>10</b>
<b>6</b>	<b>BALQA</b>				
6.1	Al-Salt City and Zai District	3	1		4
6.2	Balqa Governorate (except al-Salt City and Zai District)	2	1		3
6.3	Baqa Camp	1			1
<b>7</b>	<b>KARAK</b>				
7.1	Karak Governorate	3	1		4
7.2	A'y District and Al-Safi District	1			1
7.3	South Mazar District	3	1		4

(Cont.)

No.	GOVERNORATES	DISTRIBUTION OF SEATS			
		M	C	CI	Total
<b>8</b>	<b>MA'AN</b>				
8.1	Ma'an Governorate (except Bedouin of Southern regions)	2			2
8.2	Aqaba District	1			1
8.3	Shobak District	1			1
8.4	Wadi Mousa District	1			1
<b>9</b>	<b>ZARQA</b>				
9.1	Zarqa Governorate	2	1	1	4
9.2	Zarqa Camp	1			1
9.3	Hittin Camp	1			1
<b>10</b>	<b>MAFRAQ</b>	2			2
<b>11</b>	<b>TAFILEH</b>	3			3
<b>12</b>	<b>BEDOUIN REGIONS</b>				
12.1	North Bedouin	2			2
12.2	Central Bedouin	2			2
12.3	Southern Bedouin	2			2
	<b>TOTAL</b>	<b>120</b>	<b>19</b>	<b>3</b>	<b>142</b>

### **REGULATION NO. (60) FOR THE YEAR 1986**

### **ELECTIONS REGULATION ISSUED BY VIRTUE OF ARTICLE (72) OF THE LAW OF ELECTION TO THE HOUSE OF DEPUTIES NO. (22) FOR THE YEAR 1986**

- Article 1: This Regulation shall be called the "Election Regulation for the Year 1986" and shall become effective as of the date of its publication in the Official Gazette.
- Article 2: The compilation of the Electoral Lists shall be done in accordance with the instructions, procedures and time schedules declared and determined by the Minister of Interior in accordance with the provisions of the applicable Law of Election. He may also determine the method of compilation of said lists and the forms to be used for that purpose.
- Article 3: On the night preceding the day designated for conducting the election, the Central Committee shall hand over the Polling Boxes, Electoral Lists, Polling Papers, seals and the rest of the essentials designated for the election process to the concerned panels appointed to supervise the election procedure in the Constituency. A record thereof shall be minuted and signed by the chairmen of both the Central Committee and the concerned Balloting Panel.
- Article 4: Any Elector who has changed his usual place of domicile may request striking off his name from the Electoral List of the Constituency in which he has been registered and entering same in the Electoral List of the Constituency to which he has moved his place of domicile. The application therefor, supported with the corroborative documents, shall

be submitted to the Minister of Interior, together with the applicant's Elections Card, before the first day of August of every year, for a decision to be passed after the competent Review Committees have been consulted on the matter. When the Minister of Interior approves the request, he shall instruct the competent Review Committee, during the first half of the same month, to strike off the applicant's name, and to cancel his Elections Card in his previous Constituency and to register him in the Lists of the Constituency to which he has moved his place of domicile and to issue him a new Elections Card in this Constituency.

Article 5: Nobody is allowed to enter any of the Ballot Centres during the hours designated for the election, except members of the Balloting Panel, the Candidates or whomever they appoint as delegates, and a number of Electors not exceeding five persons at any time.

Article 6: After compiling the Constituency's final list of Candidates, the Administrative Governor shall display same in a prominent way in the Polling Centre for the Electors to take a look at.

Article 7: After ascertaining the existence of the Elector's name in the Electoral List and verifying his identity in accordance with his Elections Card, the Chairman of the Balloting Panel shall read audibly the Elector's name and then hand him the Ballot Paper after entering a notation in the Elector's entry in the Electoral List.

Article 8: If the elector is illiterate, or unable to write for any reason whatsoever, he may charge the Chairman of the Balloting Panel with writing on the Ballot Paper the names of candidates he wishes to elect. When the Chairman of the Panel has done this, he shall read to the Elector the names he had requested to be written and enter any modification the Elector requests thereof.

Article 9: A. The word "invalid" shall be written on any Ballot Paper the Canvassing Sub-committee considers invalid in accordance with the provisions of this Law and the Chairman and members of the Sub-committee shall then sign the invalid papers and append them to the record which the Canvassing Committee submits to the Central Committee.  
B. In its record to the Minister of Interior relevant to the final results of the election, the Central Committee shall submit a report of the invalid papers which were not counted during the canvassing procedure.

Article 10: If, by virtue of the provisions of the Law, the Canvassing Sub-committee deems the voting in any Ballot Box null and void, because the number of papers therein exceeds or is less than the number of voters therein by more than 5%, it is required to submit a report thereof to the Central Committee in the Constituency to announce same and take the necessary action to repeat the voting for that Box in accordance with the provisions of the Law.

Article 11: The Canvassing of votes shall continue uninterrupted in the Constituency Headquarters until the results emerge

Article 12: When the election returns have been announced in the Constituency, the Central Committee shall gather the polling papers, the Electoral Lists and all the records and special papers pertaining to the election in one pile, seal it in such a manner that it cannot be opened without breaking the seal, and send it to the Minister of Interior to keep in a safe place

until any challenge which may be submitted thereto in accordance with the provisions of the Law has been settled.

Article 13: The Minister of Interior may issue the instructions necessary for the implementation of the provisions of this Regulation.

### **AMENDMENT**

#### **PROVISIONAL LAW NUMBER (23) FOR THE YEAR 1989 AMENDING THE LAW OF ELECTION TO THE HOUSE OF DEPUTIES**

Article 1: In confirmation of the intended objectives of Article (31) of the Law of Election to the House of Deputies the Constituencies of the Kingdom shall be designated as set forth in this List:

Article 2: The provisions of the applicable administrative divisions Regulation and the Administrative division of the Greater Amman Area designated by the Mayoralty Council in determining the region (s) included in each of the Constituencies:

No.	GOVERNORATES	DISTRIBUTION OF SEATS			
		M	C	CI	Total
<b>1</b>	<b>AMMAN</b>				
1.1	First Constituency, including Basman, Marka and Tareq	3			3
1.2	Second Constituency, including Yarmouk, Nasr, Ras Al-Ain, and Badr	3			3
1.3	Third Constituency, including the City Centre, Zahran and Abdali	3	1	1	5
1.4	Fourth Constituency, including Al-Quwaismeh, al-Juweidah Abu Alanda, Khreibet Al-Souq, Jawa, Al-Yadoudeh, Umm Qusair and Al-Muqablein, Al-Jizah and Al-Muwaqqar (Except Central Bedouin)	2			2
1.5	Fifth Constituency, including Shafa Badran, Abu-Nusseir, Al-Jubeiha, Suweileh, Tla'a Al-Ali, Umm Al-Summaq, Khaldah, Wadi Al-Seir and Na'our	4		1	5
1.6	Sixth Constituency, including Madaba and Dhiban District	2	1		3
<b>2</b>	<b>IRBID</b>				
2.1	Irbid City	8	1		9
2.2	Jerash District	2			2
2.3	Ajloun District	2	1		3
2.4	Ramtha District	3			3
2.5	Al-Kourah and north Ghor Districts	2			2
<b>3</b>	<b>BALQA</b>	6	2		8
<b>4</b>	<b>KARAK</b>	7	2		9
<b>5</b>	<b>MA'AN</b>	5			5
<b>6</b>	<b>ZARQA</b>	4	1	1	6
<b>7</b>	<b>MAFRAQ</b>	3			3
<b>8</b>	<b>TAFILEH</b>	3			3
<b>9</b>	<b>BEDOUIN REGIONS</b>				
9.1	Central Bedouin	2			2
9.2	Northern Bedouin	2			2
9.3	Southern Bedouin	2			2
	<b>TOTAL</b>	<b>68</b>	<b>9</b>	<b>3</b>	<b>80</b>

### INSTRUCTIONS GOVERNING THE ELECTION IDENTITY CARD

Issued in accordance with Article (35) of the Law of Election to the House of Deputies No. 22 for the Year 1986 AD. Published in the Official Gazette, No. 3432, issued in Amman on Saturday, 29 Safar 1407 A.H., being 1 November 1986 AD.

- The Personal Election Card shall be issued by the Civil Registration Bureau in which the Citizen is registered in the Electoral List of his Constituency and shall be valid for ten years of the date of its issue.

2. Information in the Card is identical to information in the Family Book and the Electoral List.
3. The Citizen shall apply for obtaining the Card on the form prepared for this purpose and shall provide two photographs, one of which shall be pasted to the application form and the other to the Card which shall be stamped with the Bureau's official stamp.
4. The Head of the Family or any of its members entitled to vote may apply for obtaining the Cards for Members of his Family.
5. A notation shall be entered in the Electoral List indicating that the Citizen has obtained his Card.
6. A special register shall be opened in each Bureau in which the Cards are registered in seriated numerical order.
7. The Civil Status Bureaus shall be provided with a copy of the Electoral Lists for the Constituencies located in the area served by each Bureau.

**PROVISION LAW NUMBER (15) FOR THE YEAR 1993 AMENDING THE  
LAW OF ELECTION TO THE HOUSE OF DEPUTIES**

- Article 1: This Law shall be called the "Law Amending the Law of Election to the House of Deputies for the Year 1993" and shall be read with Law Number 22 for the year 1986 which shall hereunder be referred to as the Original Law and shall become effective as of the date of its publication in the Official Gazette.
- Article 2: Paragraph (B) of Article (46) of the Original Law shall be repealed and substituted with the following text:
- B. The Voter shall write the name of the Candidate he wished to elect on the Ballot Paper given to him by the Chairman of the Balloting Panel and shall return to the Ballot Box to deposit the Ballot Paper therein. An illiterate Voter may ask the Chairman of the Balloting Panel to write the name of the Candidate the Elector wishes to elect; after having written down the name, the Chairman shall read the name out within earshot of the Balloting Panel.
- Article 3: The text of Article (52) of the Original Law shall be repealed and substituted with the following text:
- A. If any Ballot Paper contains more than one of the names of the Candidates, only the first name shall be taken and the other names therein shall be omitted.
- B. If the name of the Candidate in the Ballot Paper is not clearly readable, but the paper contains enough presumptions to indicate it and prevent any confusion, then the name shall be considered as that of that candidate.
- Article 4: Any text contradicting with the provisions of this Law wherever it occurs in the Original Law or in any Regulation issued in the virtue thereof shall be repealed.

